



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
September 24, 2009**

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1. Call to Order and Roll Call

Chairman Brown called the Regular Board Meeting to order at 10:02 a.m. Thursday, September 24, 2009. Roll was noted as follows:

Directors present: Chairman Ronald D. Brown
Director Janet Saiers
Director Danny Hernandez (arrived at 10:04 a.m.)
Director Tim Eichenberg
Director Daniel Lyon

Directors excused: None

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

Mr. Kelly noted that there was a handout on agenda item 9a, so it will need to be moved to the regular agenda. He also requested that agenda item 18 be heard before lunch, as Attorney Rael had to leave early for another appointment.

Director Saiers made a motion to approve the agenda as amended. Director Lyon seconded the motion, which passed (4-0), as Director Hernandez had not yet arrived.

3. Meetings Scheduled

- a. **Thursday, October 22, 2009, 10:00 a.m. – Regular Meeting**
- b. **Thursday, November 19, 2009, 10:00 a.m. – Regular Meeting**
- c. **Thursday, December 17, 2009, 10:00 a.m. – Regular Meeting**

There were no changes to the meetings as scheduled. Director Hernandez arrived at 10:04 a.m.

4. Items from the Floor/Public Comment

Paul Smith, of the Albuquerque International Balloon Fiesta, thanked AMAFCA and the Board for the use of the licensed facilities, helping them put on the largest annual balloon event in the



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world. Over 500 balloons are expected at this year's event. Mr. Kelly added that the license for this year's event also repeats the successful "x marks the spot" take-off and landing areas at certain AMAFCA facilities. Chairman Brown stated that AMAFCA enjoys working with the Balloon Fiesta, and thanked Mr. Smith for his comments.

5. Approval of Minutes

a. August 24, 2009

Director Eichenberg made a motion to approve the minutes of the August 24, 2009 Special Board Meeting. Director Hernandez seconded the motion, which passed (4-0). Chairman Brown abstained from the vote, as he had not been present at the meeting.

b. August 27, 2009

Director Lyon made a motion to approve the minutes of the August 27, 2009 Regular Board Meeting. Director Hernandez seconded the motion, which passed (4-0). Director Eichenberg abstained from the vote, as he had not been present at the meeting.

6. Financial Matters

a. Approval of August 2009 Expenditures

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

Director Hernandez made a motion to approve the August 2009 Expenditure Report. Director Saiers seconded the motion, which passed unanimously (5-0).

b. Local Government Investment Pool Contingency Reserve Update

Ms. Jeffries had provided a copy of a news release regarding the Local Government Investment Pool Contingency Reserve. Mr. Kelly stated that AMAFCA's exposure either had not changed or had dropped. He had contacted the State Treasurer's Office asking for further clarification.

c. Investment Report for August 2009

For information. There were no questions.

d. Financial Recap August 16, 2009, through September 15, 2009

For information. Ms. Jeffries answered a question from Director Saiers.



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e. Financial Forecast September 16, 2009, through October 15, 2009

Ms. Jeffries presented the Financial Forecast for the period September 16, 2009, through October 15, 2009. She noted that the forecast includes payments from the Operating Fund for two payroll periods, and payments from the Construction Fund on four construction projects.

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

7. Legal

a. Status Report

Attorney Marcus Rael briefed the Board on the status of various legal matters. He answered several questions from the Board.

8. Notification of On-Call Services Task Orders

Mr. Kelly noted that one on-call services task order had been issued in the past month, along with one letter agreement, as described in his memo. There were no questions.

9. Selection Advisory Recommendations – On-Call Services

a. Surveying Services

Lynn Mazur, AMAFCA Development Review Engineer, stated ten proposals had been received. The Selection Advisory Committee (SAC) met and recommended the four top-scoring firms be selected: Surv-Tek, Inc., Wilson & Company, URS, and High Mesa Consulting. She introduced representatives of the firms who were in attendance. Ms. Mazur and Mr. Kelly answered several questions from the Board.

Director Eichenberg made a motion that the Board approve the Selection Advisory Committee's recommendation of the top four firms and authorize the Executive Engineer to negotiate a contract with each firm per the New Mexico State Procurement Code. Director Lyon seconded the motion, which passed unanimously (5-0).

Director Lyon suggested that the Chairman consider appointing Board members to Selection Advisory Committees, as he finds them very educational. Director Hernandez noted that this could create a conflict of interest if the SAC's decision were to be appealed, as the full Board hears the appeal.



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Consent Agenda (items 9b-10):

b. Geotechnical/Environmental Engineering Services

The memo from Kurt Wagener, AMAFCA Field Engineer, stated that five firms submitted proposals. The SAC recommended the three top-ranked firms: Vinyard and Associates, Inc., Terracon, and Kleinfelder West, Inc.

c. Real Estate Appraisal Services

The memo from Loren Hines, AMAFCA Real Estate Manager, stated two firms submitted proposals. The SAC met and recommended both firms: Timothy J. Holzhauer & Associates, and Shipman/Foley & Associates.

d. Title Services

The memo from Mr. Hines stated that no firms who provide real estate title services picked up the proposal packages, and no proposals were received. The SAC met and recommended that real estate title services be approved on an "as needed" basis. The Executive Engineer's authority is adequate with regard to title searches, and title insurance and closing costs are approved as a part of the real estate contract approval by the Board.

e. Oblique Aerial Site Photography Services

The memo from Mr. Hines stated one firm submitted a proposal. The SAC met and recommended Eagle's Eye Photo Imaging.

10. Agency and Area-Wide Flood Control Maintenance Contract – Selection Advisory Committee Recommendation for Design and Construction Management Services

The memo from Kurt Wagener, AMAFCA Field Engineer, stated six proposals were received for the Design and Construction Management Services for the Agency and Area-Wide Flood Control Maintenance Contract 2010-2011. The SAC met and recommended the top-ranked firm, Smith Engineering Company

There being no further items on the Consent Agenda, and there being no questions, Director Lyon made a motion that the Board take the following actions on agenda items 9b-10:

- Accept the SAC recommendation of the top three ranked firms for On-Call Geotechnical and Environmental Engineering Services, and authorize the Executive Engineer to



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negotiate a contract with each firm for Board approval at the October 22, 2009 Board meeting;

- Accept the SAC recommendation of the top two ranked firms for On-Call Real Estate Appraisal Services, and authorize the Executive Engineer to negotiate a contract with each firm for Board approval at the October 22, 2009 Board meeting;
- Accept the SAC recommendation that title searches and closing costs be approved on an "as needed" basis by the Executive Engineer and the Board, respectively;
- Accept the SAC recommendation of Eagle's Eye Photo Imaging for On-Call Oblique Aerial Photography Services, and authorize the Executive Engineer to negotiate a contract with the firm for Board approval at the October 22, 2009 Board meeting; and
- Accept the SAC recommendation of Smith Engineering Company for the Agency and Area-Wide Flood Control Maintenance Contract 2010-2011 Design and Construction Management Services, authorize the Executive Engineer to commence negotiations per the New Mexico Procurement Code, and consider approval of an Agreement for Engineering Services at the Board meeting on October 22, 2009.

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

Regular Agenda:

11. Hahn Arroyo Rehab and Integrated Multi-Use Drainage Corridor Demonstration Project – Briefing on Project Concept by George Radnovich, ASLA, Sites Southwest LLC

Mr. Kelly noted the Hahn Arroyo Rehab has been on the project schedule since 2008, although the City has been unable to come up with funding for this project. Staff is proposing that AMAFCA rehab one portion of the channel as an example of what could be done. This reach of the arroyo was selected for the initial effort because it is near a park and several schools. Mr. Kelly introduced George Radnovich and Jill Brown of Sites Southwest LLC, who put together the project concept.

Mr. Radnovich and Ms. Brown briefed the Board on the project concept for the Hahn Arroyo Rehab and Integrated Multi-Use Drainage Corridor Demonstration Project. This will provide much-needed rehab of the concrete channel lining, provide storm water quality elements, and will allow the opportunity to develop a demonstration project that will set the standard for the east side arroyo channel and drainage corridor treatments.

After discussion, the consensus of the Board was support of the project concept, with AMAFCA to fund the initial section to be improved. The Board anticipated that after this stretch of the



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arroyo has been rehabilitated, neighbors of other arroyo stretches will want similar improvements, and will lobby their City representatives to fund the improvements.

Director Saiers noted it has been nearly 25 years since the City approved the Facility Plan for Arroyos. She asked if AMAFCA could use this opportunity to get the City to recommit to the ideas expressed in the Plan regarding the value of multiple use of arroyo rights of way, including finishing the associated arroyo corridor plans, and encourage their financial participation in improving the corridors for parks and recreation when arroyo channels are rehabilitated.

Mr. Kelly stated he would provide a cost estimate of the project breakdown for the various elements (concrete rehab, storm water quality diversions, etc.) at the next Board meeting.

Chairman Brown briefly left the meeting at 11:08 a.m., returning at 11:10 a.m. In his absence, Vice Chair Saiers introduced the next agenda item.

12. South Diversion Channel Baffle Chute Storm Water Quality Facility

a. Briefing on UNM Hydraulic Laboratory Modeling

Kevin Daggett, AMAFCA Storm Water Quality Engineer, briefed the Board on the UNM Hydraulic Laboratory modeling and numerical modeling of the South Diversion Channel Baffle Chute Storm Water Quality Facility. The modeling will be used to obtain Corps of Engineers approval of the project. He also showed pictures, and answered several questions from the Board.

b. Consideration of Approval of Amendment Number Three to Agreement with WHPacific, Inc., for Completion of Preliminary Design Services

Mr. Daggett stated Amendment Number Three to the Agreement with WHPacific will cover the fee for completion of preliminary design services for the South Diversion Channel Baffle Chute Storm Water Quality Facility. He described the preliminary design developed during hydraulic testing, and described the site challenges involved. Amendment Three will complete the preliminary design phase of the project and will be on a time and materials basis, not to exceed \$115,018.00, plus NMGRS.

Director Hernandez made a motion that the Board approve *Amendment Three to the Agreement with WHPacific (formerly ASCG) for Preliminary Design Services for the "I-25 Baffle Chute" Storm Water Quality Facility* in the amount of \$115,000.00, plus NMGRS. After verifying the \$115,000 figure with Director Hernandez and Karen Jacobsen of WHPacific, Director Eichenberg seconded the motion, which passed unanimously (5-0).



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13. Middle Rio Grande Levee Task Force Update

Jerry Lovato, AMAFCA Drainage Engineer, gave the Board an update on the Middle Rio Grande Levee Task Force's recent meetings. The Technical and Funding subcommittees met on September 21, 2009. He stated the Task Force wants to recommend to the State Legislature that 2-D modeling be done for the entire 4-county area along the river. The next meeting of the full Levee Task Force will be September 29, 2009.

Mr. Kelly and Mr. Lovato also answered several questions. Directors Hernandez and Lyon further commented on the Task Force's meetings.

14. Albuquerque West Levee LOMR – Consideration of Cost Sharing Letter Agreement with Bernalillo County

Mr. Lovato stated that, to minimize the period of time that residents on the land side of the new Albuquerque West Levee need to pay for flood insurance, AMAFCA, Bernalillo County, and the MRGCD can work together to provide the required documentation needed for a Letter of Map Revision (LOMR) submittal. The proposed letter agreement between AMAFCA and Bernalillo County would fund a portion of the LOMR submittal. This work will include the engineering required to map pre- and post-project flood plain landside of the new levee, and incorporating the new levee certification from the MRGCD. The LOMR will remove 2600 acres from flood plain.

Director Eichenberg made a motion that the Board authorize the Chairman to execute the letter agreement between Bernalillo County and AMAFCA to equally fund the LOMR submittal to FEMA Region 6 to remap flood plain removed by the construction of the Albuquerque West Levee. Director Hernandez seconded the motion, which passed unanimously (5-0).

18. AMAFCA North Diversion Channel Jurisdictional Determination – Further Discussion on Issues

Mr. Kelly, Mr. Lovato, and Mr. Rael briefed the Board on their recent activities regarding this issue, answering several questions from the Board.

Mr. Rael left the meeting at 11:46 a.m. due to a prior commitment.

15. AMAFCA FY-10 Project Schedule – Review of Expanded (\$70M) Project Schedule

Mr. Lovato reviewed the changes in the proposed project list. Five projects had been accelerated, and twelve projects had been added, since the last Board meeting. He answered several questions



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from the Board. Consensus of the Board was to include these projects in the FY-10 Project Schedule.

Mr. Kelly noted that the final draft Project Schedule will be presented to the Board for their review and potential adoption at the next Board meeting.

Chairman Brown called a brief recess at 11:53 a.m. The meeting resumed at 12:00 p.m.

16. Field Highlights

a. Construction Report

Mr. Wagener's memo contained a summary of current construction projects. There were no questions.

b. Field Report

Mr. Wagener presented a slide show of current projects, including a video of the La Cueva Water Quality Facility in operation. He stated that unveiling of the new Calabacillas Arroyo sign will be scheduled when the signage is completed. The Board suggested some changes to the brochure, which will be implemented.

c. Report on 2009 Storm Events

Mr. Wagener summarized the storm events in 2009. There were a lot of small storms, including two property and life events. A construction truck and lift were damaged in the storm on June 23, 2009, and one man lost his life in the storm on September 9, 2009. In the North Diversion Channel, 2009 ranked 33rd out of 41 years for highest flows since 1968. In the South Diversion Channel, 2009 ranked 17th out of 19 years for highest flows since 1988.

17. EPA MS-4 Draft Permit – Briefing on EPA Meeting with MS-4 Co-permittees held September 9, 2009

Mr. Lovato briefed the Board regarding the MS-4 Co-permittees meeting on September 9, 2009. He stated that the permit will be released within the next two months. After a 30-day comment period, a Record of Decision, addressing all the comments, will be published. At that point, the permit will be finalized.

The permit for 2012 may include additional permittees such as SSCAFCA in the first-ever "Regional Watershed Permit" for the entire middle Rio Grande.



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19. Unfinished Business

In response to a question from Director Eichenberg, Mr. Kelly stated that the Hahn Arroyo neighborhood will be consulted before plans for the recreation aspects of the Hahn Arroyo Rehab are drawn up.

20. New Business

Director Eichenberg noted that he will be unable to attend the October Board meeting.

21. Adjourn

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 12:34 p.m.

Danny Hernandez, Secretary-Treasurer 10/22/09

Recorded by Pam Woodruff, Secretary to the Executive Engineer