



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
March 24, 2011**

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1. Call to Order and Roll Call

Chairman Hernandez called the Regular Board Meeting to order at 10:04 a.m. Thursday, March 24, 2011. Roll was noted as follows:

Directors present: Chairman Danny Hernandez
Director Ronald D. Brown (arrived at 10:08 a.m.)
Director Bruce Thomson
Director Tim Eichenberg

Director excused: Director Daniel Lyon

Others present: Jerry M. Lovato, P.E., Executive Engineer
Attorney Marcus Rael, Jr.
Staff
Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Mr. Lovato stated that there were late mailouts on agenda items 16, 20e, and 20f. He also stated that the City of Albuquerque had requested that agenda item 15b be heard before agenda item 15a. Chairman Hernandez stated he was amenable to the change.

Director Eichenberg made a motion to approve the agenda, with agenda item 15b moved before agenda item 15a. Director Thomson seconded the motion, which passed (3-0).

3. Meetings Scheduled

- a. **Thursday, April 28, 2011, 10:00 a.m. – Regular Meeting**
- b. **Thursday, May 26, 2011, 10:00 a.m. – Regular Meeting**
- c. **Thursday, June 23, 2011, 10:00 a.m. – Regular Meeting**

There were no changes to the meeting schedule.

4. Items from the Floor / Public Comment

None.



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5. Approval of Minutes

a. February 24, 2011

Director Eichenberg noted that he would be unable to vote on the minutes, as he was not at the February 24 meeting, which would result in a lack of a quorum for this agenda item.

Director Eichenberg made a motion to defer approval of the minutes of the February 24, 2011 Regular Board Meeting until Director Brown was present. Director Thomson seconded the motion, which passed (3-0).

6. Financial Matters

a. Approval of February 2011 Expenditures

Irene Jeffries, AMAFCA Business Manager, presented the February 2011 Expenditure Report. Director Brown arrived at 10:08 a.m., during discussion of this agenda item.

Ms. Jeffries and Mr. Lovato answered several questions from the Board. Responding to a question from Director Eichenberg, Mr. Lovato noted that the FY 2012 budget includes funds to study a new digital phone system, and bundling with internet services will also be explored at that time. AMAFCA staff will ascertain the best price for webhosting and phone services at that time. He stated that the current webhosting price is a good value.

In response to another question from Director Eichenberg, Ms. Jeffries stated that the North Diversion Channel gauging station at Candelaria provides real-time data to the USGS and is a part of the Cooperative Agreement. The phone at the gauging station allows it to be remotely accessed.

Director Thomson made a motion to approve the February 2011 Expenditure Report. Director Brown seconded the motion, which passed (4-0).

b. Investment Report for February 2011

Ms. Jeffries presented the investment report for February 2011. There were no questions, and no Board action was required.

c. Financial Recap February 16, 2011, through March 15, 2011

Ms. Jeffries presented the Financial Recap for February 16, 2011 through March 15, 2011. She noted that there were differences between the forecast and actual expenses in the Operating



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Fund, as the actual expenses included five pay periods and the USGS invoice. These expenses were not included in the forecast. There were no questions, and no Board action was required.

d. Financial Forecast March 16, 2011, through April 15, 2011

Ms. Jeffries presented the Financial Forecast for the period March 16, 2011, through April 15, 2011. She noted that the Construction Fund forecast included payments to contractors on four construction projects.

Director Brown made a motion that the Board approve the Financial Forecast. Director Eichenberg seconded the motion, which passed (4-0).

7. Legal

a. Status Report

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

5. Approval of Minutes

a. February 24, 2011

Director Brown made a motion to approve the minutes of the February 24, 2011 Regular Board Meeting. Director Thomson seconded the motion, which passed (3-0). Director Eichenberg abstained, as he was not present at the February Board meeting.

Consent Agenda

8. AMAFCA Financial Advisor Services – Consideration of Third Extension of Agreement with RBC Capital Markets

The memo from Ms. Jeffries stated that the March 2008 agreement with RBC Capital Markets for Financial Advisor Services was for one year, with up to three one-year extensions of the agreement upon the mutual consent of the parties. RBC Capital Markets agreed to extend the contract with no increase in fees. The completed AMAFCA Campaign Contribution Disclosure Form was attached. The memo stated that, if the Board approved, this would be the third and final extension of the original contract. She requested Board approval of extension of the agreement.



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9. AMAFCA Bond Counsel Services – Consideration of Third Extension of Agreement with the Modrall Law Firm

The memo from Ms. Jeffries stated that the March 2008 agreement with the Modrall Law Firm for Bond Counsel Services was for one year, with up to three one-year extensions of the agreement upon the mutual consent of the parties. The Modrall Law Firm agreed to extend the contract with no increase in fees. The completed AMAFCA Campaign Contribution Disclosure Form was attached. The memo stated that, if the Board approved, this would be the third and final extension of the original contract. She requested Board approval of extension of the agreement.

10. Out of State Travel Request – EPA Region 6 MS4 Conference, San Antonio, Texas, July 5-8, 2011

The memo from Mr. Lovato stated the U.S. Environmental Protection Agency Region 6 MS4 Conference will be held in San Antonio, Texas, July 5-8, 2011. The memo noted that Kevin Daggett, AMAFCA's Storm Water Quality Engineer, is the main point of contact with EPA and has become a regional expert in storm water quality in Albuquerque. He requested Board authorization of out of state travel for Mr. Daggett to attend the conference, which will be beneficial to AMAFCA.

There being no further items on the Consent Agenda, and there being no questions, Director Eichenberg made a motion that the Board take action on consent agenda items 8-10, as follows:

- Extend the agreement with RBC Capital Markets to provide Financial Advisor Services for one additional year with no increase in fees;
- Extend the agreement with the Modrall Law Firm to provide Bond Counsel Services for one additional year with no increase in fees; and
- Authorize out of state travel and expenses for Kevin Daggett to attend the U.S. Environmental Agency Region 6 MS4 Conference in San Antonio, Texas on July 5-8, 2011, not to exceed \$2,000.00, pursuant to Resolution 1998-6.

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



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Regular Agenda

11. Executive Engineer's Report

a. Notification of Past Month's Activities

Mr. Lovato highlighted significant activities of the past month.

He stated that the Corps of Engineers is leading a collaborative regional approach for a flood management and response workshop to be held on May 11-12, 2011. The first day will be at the Convention Center, and the second will be at the South Diversion Channel. The City of Albuquerque is sponsoring use of the Convention Center and free parking. AMAFCA, SSCAFCA, ESCAFCA, and Bernalillo County are among the other co-sponsors.

He noted that the MS4 co-permittees are continuing to work on drafting a Memorandum of Understanding (MOU). The MOU is required by the EPA.

b. Notification of On-Call Services Task Orders

Mr. Lovato stated that no on-call task orders had been issued this month. He had issued a Letter Agreement with Albuquerque Survey to provide onsite documentation and construction survey for the final work done by AMAFCA on the Meeks property. This will be creditable as an in-kind service on the U.S. Army Corps of Engineers' project, because the Corps of Engineers had directed AMAFCA to obtain the easement and make the landowner whole, with the costs to be creditable to the Corps' project.

12. Consideration of Turnkey Agreement with Western Albuquerque Land Holdings for Ladera Dams 8 and 9 Expansion as Related to Stormcloud Subdivision

Lynn Mazur, AMAFCA Development Review Engineer, introduced Jeff Garrett of Garrett Development Corporation, representing Western Albuquerque Land Holdings, LLC.

She stated that, as the Board was briefed at the February meeting, expansion of Ladera Dams 8 and 9 will satisfy conditions of the 404 permit from the U.S. Army Corps of Engineers for development of the Stormcloud Subdivision. It will also provide additional storage for storm water runoff volume required for the Ladera Dam system for upstream development. AMAFCA does not hold the dam sites in fee simple, but has easements for them.

She noted that expansion of the dams will require additional easement, which is written into the Turnkey Agreement, along with an easement for access to the dams. The agreement has been



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reviewed by both parties' legal counsel. She requested Board approval of the agreement, substantially the same as attached to the memo.

Director Brown made a motion that the Board approve the *Turnkey Agreement for Ladera Dams 8 and 9 Expansion as Related to Stormcloud Subdivision*, substantially the same as attached to the memo, with Western Albuquerque Land Holdings, LLC. Director Eichenberg seconded the motion.

Ms. Mazur stated that the proposed timeline is to begin the project as soon as the agreement is signed. Mr. Garrett answered a few questions about the project, stating that the Stormcloud Subdivision has 302 finished lots, some of which have been built on already. Ms. Mazur noted that no park areas within the dam pools have been discussed, but they are used as open space.

Director Thomson noted a correction to the signature block of the document.

The motion passed (4-0).

13. West I-40 Drainage Management Plan and APS – Briefing by Albuquerque Public Schools

Bradley Bingham, AMAFCA Drainage Engineer, stated that Albuquerque Public Schools (APS) is considering a purchase of land north of the Ladera system, draining to Ladera Dams 1-5 via uncontrolled arroyos. APS and AMAFCA will need to work together to address drainage in this area, and potentially re-evaluate portions of the West I-40 Drainage Management Plan (DMP). An arroyo goes through the property, which is covered by the West I-40 DMP.

Mr. Bingham introduced Martin Eckert, Jr., APS Real Estate Manager, who briefed the Board on APS's drainage requirements for the property west of 98th Street and north of I-40.

Mr. Eckert stated that APS is considering the purchase of two adjacent parcels, each 110 acres in size. The northern parcel would be the location of a future high school and a K-8 school. The southern parcel would be used for a stadium complex, and also for additional recreational facilities in the future. The nearby access to I-40 makes this an ideal location due to the excellent access for those from around the city and state.

He stated that Western Albuquerque Land Holdings and APS are considering working together to revise the West I-40 DMP. Specifically, APS is considering a recreational joint use detention area upstream, with an underground pipe to meter the flow into the Ladera system.

Mr. Eckert noted that the City of Albuquerque is considering the purchase of an 80 acre parcel just to the west of the southern parcel. This would be used for future recreational facilities,



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potentially on a shared basis with APS. APS would be able to use City facilities, and the City would be able to use APS facilities.

In response to questions from Director Brown and Director Eichenberg about the power lines, Mr. Eckert stated that the property being considered is north and west of the existing power lines, and the planned schools will be located away from the power lines.

Mr. Lovato noted that when the West I-40 DMP was last revised in 2006-2007, a town center with very high density commercial development was planned for the area, which would have had a large amount of impervious land area. This use will be lower density, which will result in less runoff. Any proposed modifications of the West I-40 DMP will go through a public hearing phase before being approved by the Board and put into place. The modified DMP will identify new infrastructure that needs to be constructed.

As an informational item, no Board action was required.

14. Proposed Changes to the Scope of El Bordo Siphon and Barelás Storm Drain Project – Briefing by Roland Penttila, P.E.

Kurt Wagener, AMAFCA Field Engineer, introduced Roland Penttila, P.E., Manager of the City of Albuquerque's Storm Drainage Design Section.

Mr. Wagener stated that the City had bid and awarded the El Bordo Siphon and Barelás Storm Drain Rehabilitation Project, but had terminated the construction contract. There was no time to re-bid the project before the beginning of this storm season. Therefore they anticipate re-bidding the project in the fall after the monsoon season ends. AMAFCA is providing \$660,000 towards this project. The cost-share agreement expires June 30, 2011. Mr. Wagener stated the City is requesting an extension of the deadline to allow construction to begin after June 2011.

Consensus of the Board was for staff to bring an amendment extending the agreement to December 31, 2011, to the April 28, 2011 Board meeting, for the Board's consideration.

As the meeting was running ahead of schedule and the City's representatives had not yet arrived, Chairman Hernandez stated that agenda item 16 would be heard next.

16. 2011 Legislative Session – Briefing by Alarid Consulting

Mr. Lovato introduced Vanessa Alarid of Alarid Consulting, AMAFCA's Legislative Liaison, and Mark Fleisher, of Fleisher Consulting, her consultant. Ms. Alarid briefed the Board on the conclusion of the 2010 Regular Legislative Session, summarizing the status of the bills which were being tracked for AMAFCA. She noted that the main task for the Legislature during the



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session was passing the budget, which was accomplished. She briefly highlighted the other major legislation that passed both houses during the session.

She stated that during the 60-day legislative session, Alarid Consulting had tracked 20 House Bills and 10 Senate Bills that were considered "of interest" to AMAFCA. As directed by the AMAFCA Board, they did not lobby for or against any bills. Six of these bills passed both the House and the Senate (although one died for lack of concurrence), as did two identical Memorials (one in the House and one in the Senate). All have been sent to the Governor for signature.

If all are signed into law, the effects of these bills are:

- Any construction contract must resolve any disputes in New Mexico;
- Taxation and Revenue Department shall review all tax preferences by 2014 and update every 6 years;
- ESCAFCA is divided into three districts, and will hold an election, no later than September 30, 2011, to determine if any of the three areas chose to be excluded from the Authority;
- Any engineering firm must notify the one-call notification system prior to any excavation; and
- Resident businesses shall qualify for the in-state preference.

She stated that the memorials require a Mid-Region Council of Governments task force to study ways to prevent the buildup of trash in arroyos.

Answering questions from the Board, she noted that HB 109 (which would have allowed appeals of OSE decisions in district court within 30 days of the decision) died in committee, as did SB 249 (Water Quality Act Rulemaking Authority). SB 249 will probably come up again, but not until next year.

Ms. Alarid stated that there will be a special session, probably in August, to deal with redistricting. She did not anticipate that SB249 would be brought up in the special session.

Ms. Alarid concluded by stating that she had taken on a new client, Albuquerque Downs. She informed the Board of this, pursuant to their request to know when she takes on new clients.

Director Eichenberg noted that the Legislators had received demographic information from the census for redistricting purposes. If this information is also provided to AMAFCA, it may be possible to do the AMAFCA redistricting in-house, saving about \$50,000 in the budget.



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After discussion, the consensus of the Board was that the Executive Engineer should obtain the data overlays, and Kevin Troutman, AMAFCA GIS Technician, will look at the data to determine if this is sufficient data for redistricting to be done in-house. Staff will report back to the Board at a future meeting.

15. City of Albuquerque Osuna Project Update

b. 2030 Transportation Plan and AMAFCA Rights of Way – Briefing by Ed Adams, City of Albuquerque

Mr. Bingham introduced Melissa Lozoya, P.E., Chief Engineer of the City of Albuquerque's Department of Municipal Development, Ed Adams, City of Albuquerque Special Projects Manager, who attended on Michael Riordan's behalf, and Paul Lindberg, of the New Mexico Department of Transportation (NMDOT).

Mr. Adams stated that the potential future "Channel Road," also known as "Essayons Road," is being studied by the City of Albuquerque. A large portion of the road would be built on AMAFCA right of way.

He stated that the proposed road was an outgrowth of the corridor study of improvements at the Paseo del Norte/I-25 interchange. An additional north-south road in this area would relieve traffic pressure on Jefferson and improve traffic flow.

Mr. Adams stated that NMDOT has worked out the best alignment on a transportation basis, and the City is now considering whether it works on a practical basis. He added the fact that the City has \$1.7 million in developer impact fee funds that need to be spent in this area within the next year. If the funds are not used, they revert to the developers. These funds could be used for the early stages of planning and designing this road.

Mr. Adams noted that, according to the transportation study, the best routing for this road was to begin at Osuna, go north along the eastern edge of the North Diversion Channel, then to swing east of the Los Angeles Landfill at Paseo del Norte, coming out approximately at Balloon Fiesta Drive and Alameda. This alignment would relieve pressure on Jefferson and improve traffic flow in the area.

Mr. Lovato noted that the Board was first briefed on this road by NMDOT in October and November 2006, as a part of the planned Paseo del Norte/I-25 interchange improvements. The main topics of discussion at that time were the interchange, a drainage management plan, and some local drainage issues, such as the one at El Pueblo which has subsequently been addressed.



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Mr. Adams stated that the feasibility study for the road will be complete in the next couple of months. The roadway alignment appears viable, depending on the AMAFCA Board's approval. Water quality features will be included to address drainage from the road and adjoining properties.

In response to a question about the Corps of Engineers' approval, Mr. Lindberg stated that the Corps of Engineers is a collaborating agency on this project. This roadway will improve access for businesses and provide additional outlets for traffic, rather than just Jefferson. Many of the properties are essentially land-locked. Mr. Adams noted that the Mid-Region Council of Governments is evaluating transit connections for the employment centers in this area.

Ms. Lozoya stated that the roadway will be three lanes (two travel lanes plus a continuous left turn lane). There will be a bike trail on the AMAFCA maintenance road, and a 6' sidewalk on the other side of the road.

Mr. Lovato stated that there is already a bike trail on the maintenance road on the west side of the channel. However, to minimize conflicts with the biking community, AMAFCA vehicles use the maintenance road on the east side of the channel. He stated that the design will need to be modified so that the bike trail on the east side of the channel will not be placed on top of the maintenance road.

Director Eichenberg stated that the neighborhood needs traffic relief. He supported moving forward on exploring this idea. However, he stated that the City may need to obtain additional right-of-way to construct a wider road.

Chairman Hernandez requested the City consider making the road "HOV-only" during rush hour. Mr. Adams stated that the City would rely on MRCOG's transportation plan for decisions such as those.

Director Thomson expressed his concern that the road would adversely impact the North Diversion Channel, and AMAFCA's ability to maintain the channel. He also expressed concern regarding the possible impact on water quality. He stated that if AMAFCA staff is comfortable with the road's impact on channel maintenance and water quality, he would support it. Director Brown agreed.

Director Eichenberg added that he would also like a vibration analysis done.

Mr. Adams stated that the City would work with AMAFCA staff to address the Board's concerns.



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a. Osuna Phase I – Briefing by Melissa Lozoya, City of Albuquerque

Mr. Bingham introduced Melissa Lozoya, P.E., Chief Engineer of the City of Albuquerque's Department of Municipal Development. He stated that currently, the City holds a License Agreement that covers the Singer and Osuna crossings of the North Diversion Channel, which expires in July 2012. AMAFCA could renew the License Agreement, or could convey the right of way to the City, retaining a drainage easement (as was done at the Amole Arroyo/Unser crossing).

In response to a question from Director Brown about staff's preference, Mr. Lovato stated that AMAFCA staff would prefer to convey the right of way, retaining a drainage easement. He stated that this arrangement is working well at the Amole Arroyo/Unser crossing.

Consensus of the Board was support of conveying the right of way to the City, retaining a drainage easement. Staff will bring an agreement to the Board for their approval at the April Board meeting.

Chairman Hernandez called a brief recess at 11:39 a.m., resuming the meeting at 11:50 a.m.

17. Field Highlights

a. Construction Report

The memo from Kurt Wagener, AMAFCA Field Engineer, contained a summary of current construction projects. There were no questions.

b. AMAFCA Operations and Maintenance Manual for Dams Overview

Mr. Wagener briefed the Board on the *Operations and Maintenance Manual for AMAFCA Flood Control Dams* (O&M Manual) for thirteen of AMAFCA's thirty-six dams. This document was created in response to the 2005 Rules and Regulations on Dam Ownership from the Office of the State Engineer (OSE). It sets out specific responsibilities for the Board, Staff, and Crew, and is a "living document" that will be updated as standards, technologies, and regulations change.

He stated that much of the information applies to all the dams, and is contained in Volume I. Volume II contains information specific to each of the dams. Volume III is publications that explain how to do the specific tasks that are required in the remainder of the O&M Manual.

Mr. Wagener added that he would be meeting with the OSE Dam Safety Bureau that afternoon to discuss the manual. It had been submitted to the OSE in August, 2010.



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He noted that the Board's primary responsibilities under the O&M Manual is funding – for maintenance and inspection costs; the costs of stockpiling sandbags, riprap, and dirt; inspection costs; maintenance costs; anticipated repairs; emergency costs (Contingency Fund) and training.

Mr. Wagener stated that the O&M Manual includes an inspection form similar to the OSE's with the addition of spaces to cover project safety and water quality features. The inspection form will be signed to indicate that repairs have been done.

c. Field Report

Mr. Wagener gave a report of various projects and events over the past month, answering several questions from the Board.

d. GIS Progress Demo

Kevin Troutman, GIS Technician, demonstrated the latest version of AMAFCA's Interactive Maintenance Map Application, which now has a new interface, and utilizes updated software. When available, it also pulls in outside information, such as radar maps from the Weather Service. The updated application is currently being tested, and is hosted on the cloud servers at Amazon. Using the cloud reduces the cost to AMAFCA and is very cost-effective.

He demonstrated that the new application can interface with Google Street View to show a street-level view, which can be useful to identify facilities in the field.

18. Sanchez Farm Tributary Storm Drains Project – Consideration of Cost Share Agreement with Bernalillo County for Additional CLOMR Services

Ms. Mazur introduced Roger Paul, Acting Deputy County Manager for Bernalillo County Public Works, and Dave Thompson of Thompson Engineering Consultants (TEC), AMAFCA's consultant on the Sanchez Farm Tributary Storm Drains Project.

Ms. Mazur stated that, at the February Board meeting, the Board had directed staff to prepare a cost share agreement with Bernalillo County to submit a Conditional Letter of Map Revision (CLOMR) to FEMA for potential removal of floodplain in the Sanchez Farm area. She noted the CLOMR is a preliminary process; the floodplain is not removed until a project is constructed and a Letter of Map Revision (LOMR) is approved by FEMA.

She reminded the Board that the County had evaluated the floodplains in the area and found that some can be removed now with a LOMR. They would like to include these areas with the ones currently due to be studied by TEC as a part of the Sanchez Farm Tributary Storm Drains



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Project. The proposed cost share agreement with Bernalillo County was written to include both the LOMR and the CLOMR, which will be submitted to FEMA separately.

Ms. Mazur stated that the original contract with TEC included studies of floodplains at Bridge/Goff/Gatewood, Goff at Beverly/Yakima/Draco, Isleta/Montrose, and Goff/Sunset. Bernalillo County would like to add Franklin/Five Points, Gatewood at Isleta/Miramón, Sanchez Farm Pond, and Arenal/Gallegos to the study areas. Bernalillo County has agreed to contribute a lump sum amount of \$20,000 for this task.

Ms. Mazur stated that the preliminary design and CLOMR submittal tasks are in Phase 2 of the contract with TEC, for which the fees have not yet been negotiated. The scope will be expanded to include the floodplain areas the County wishes to include.

She recommended that the Board approve the cost share agreement, substantially the same as attached to the memo. She noted that the agreement is currently being reviewed by Bernalillo County and AMAFCA legal counsel.

Discussion followed. In response to a question from Director Eichenberg, Mr. Lovato summarized that the original contract study was to study the area around Goff and Sunset. Bernalillo County wanted to expand the study area and pay for that expansion. He pursued this cost share agreement in order to get the County on board for the design process so that they would be on board for the construction of the associated storm drains. However, at this point it is not known how much the construction project will cost.

Chairman Hernandez stated that he had met with Bernalillo County Commissioner Art De La Cruz about this project. He stated that Commissioner De La Cruz is in support of moving up the project, including the County's portion of it. The project cost cannot be estimated until there is a design.

Mr. Lovato noted that this study is necessary to determine which drainage routing is most cost-effective, so that the preliminary design can be done, costs estimated, and the project construction cost-share agreement negotiated.

In further discussion among the Board, there was some question about the cost of the CLOMR/LOMR study as included in the agreement with TEC, and the cost of studying the additional area which Bernalillo County is proposing to add.

Director Brown wanted to make sure that the cost of adding the additional areas to the scope would be around \$20,000, not another \$80,000.



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Mr. Paul stated that the County had set aside \$12,000 to \$15,000 to do the LOMR work for these areas themselves, so it seemed fair to them to have the \$20,000 figure in the cost share agreement. Some of the work on the LOMR has been done already, and will be provided to TEC. This cost-share agreement would get some money into AMAFCA's hands so that this project could move forward. The work that will be done by TEC will go a little further than what Bernalillo County needs at this time, but the additional information will be needed for the larger project. The County feels comfortable contributing more than the study would cost them to do it themselves.

Chairman Hernandez stated that the difficulty the Board was apparently experiencing is that they don't know what the AMAFCA share of this cost-share would be, because they don't know the total cost of the study. Without knowing that, it was hard for the Board to determine if the amount is "fair." He suggested that the Board could approve up to \$40,000, and re-negotiate if it goes higher.

Mr. Lovato stated that the original scope of the CLOMR task by TEC was probably an effort in the \$80,000 range. Since the County has already done the engineering analysis and construction, adding their areas to the scope would not cost as much as the AMAFCA areas which haven't been started yet.

Consensus of the Board was that they wanted more information about the scope of the task before entering into the cost share agreement with the County, as they were unsure if this was a fair agreement or not.

Director Brown made a motion that the Board accept the \$20,000 from the County and proceed on the basis that it is better and more efficient to include the County areas in with our areas of the study, and request that staff provide more information on the scope of the study at a later meeting. Director Thomson seconded the motion, which passed (4-0).

In response to a question from Mr. Paul, Director Brown stated that the \$20,000 was accepted as a contribution towards the overall project, but the Board needs more complete numbers before they can enter into an agreement.

19. Consideration of Amendment One to Turnkey Agreement for Pino Dam Emergency Spillway Modifications with Dr. William Galbreth

Director Brown left the room during the consideration of this agenda item, returning towards the end of the discussion.

Mr. Lovato stated that at the February 24, 2011 meeting, the AMAFCA Board had directed staff to prepare an amendment to the turnkey agreement with Dr. William Galbreth, extending the



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deadline that allows the modification to the emergency spillway at the Pino Dam. After further discussions with Dr. Galbreth's engineer, Craig Hoover of Bohannon Huston, the proposed amendment extends the deadline for three years rather than the one year originally contemplated. The amendment is currently in legal review.

He requested that the Board review and approve the amendment.

Discussion followed, with the main concern being over the length of the extension of the agreement. Mr. Hoover stated that the Office of the State Engineer had requested that they look at the 72-hour storm event as well as the 6 hour Probable Maximum Flood event information they had previously provided. These studies have shown issues with the dam in both the existing conditions and future conditions. They are working with AMAFCA to address these issues. He estimated that the design is about 90% complete. He anticipated that it might take only another year to obtain approval, but a two or three year extension would be more prudent.

Director Eichenberg noted a potential ambiguity problem with the wording of the amendment.

Mr. Lovato noted that the current conditions show erosion of the earthen spillway with a 6 hour event. At a 72 hour event, there is about 60 feet of erosion. There is a dam safety issue at this point, which AMAFCA needs to address. The drop structure proposed by Dr. Galbreth will address the erosion issue for the 6 hour event. However, not even the proposed improvements will handle the 72 hour event. AMAFCA may need to work with Tanoan to make additional improvements in the golf course area to address those issues.

Mr. Hoover stated that the dam pool is oversized, so that not even the 500 year event reaches the top of the spillway. However, calculations must be done for the Probable Maximum Precipitation coming over the spillway. As this spillway is earthen, rather than lined, overtopping of the spillway causes erosion, which must be addressed. He stated that there is an erosion issue whether or not Dr. Galbreth's project is built. He opined that it is in AMAFCA's best interest to continue moving forward with this project, to take advantage of Dr. Galbreth's contribution of \$1 million towards improving the spillway.

Mr. Lovato stated that it is unusual to have an earthen spillway without any grade control structures. The lack of grade control structures is what causes the undercutting with the 72 hour event, which is defined as 28.5" of rain over a three-day period.

After further discussion, Director Eichenberg made a motion that the Board approve *Amendment One to Turnkey Agreement for Pino Dam Emergency Spillway Modifications* with Dr. Galbreth, to extend the term of the agreement one year from today's date, and look at it again at that time. Director Thomson seconded the motion.



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Chairman Hernandez expressed dismay at the requirement that a dam safely pass more than double the annual rainfall. Mr. Lovato stated that the PMP storm is calculated by taking a storm that actually happened in Las Cruces and moving it, mathematically, to Albuquerque, and assuming it stalls over an area.

Director Eichenberg remembered a 1989 storm where the water came up to the door of his home, which had been built on a 3' raised building pad. Other homes in the neighborhood just opened their doors and let the water flow through. He opined that if there were a 72 hour event in the Tanoan area, the golf course and all the homes would have been washed downstream – and yet the Office of the State Engineer wants AMAFCA to protect the spillway on a dam that holds an approximately 1500 year event.

Mr. Lovato stated that the PMP is a national requirement.

Upon consulting with Mr. Hoover, Director Eichenberg amended his motion to extend the agreement two years from today's date. Director Thomson seconded the amended motion, which passed (3-0). Director Brown abstained from the vote.

20. AMAFCA FY 2012 Budget

a. Surplus Property Report

Loren Hines, AMAFCA Real Estate Manager, gave the Board a report of the status of current leased properties, and potential surplus property which the Board may wish to consider for lease or sale. He stated that the FY-2012 Operating Budget includes revenue from continued lease income from the current leased parcels. No additional revenue from the lease or sale of other parcels has been included.

Mr. Hines requested input from the Board for budgetary purposes.

Chairman Hernandez recommended that Director Thomson be taken on a field trip to see these parcels, which the rest of the Board had already viewed. Anyone else who needs a refresher can also go on the field trip.

Director Eichenberg stated that, although this was not a good time to sell land due to the current marketplace, it might be a good idea to return some of it to the tax rolls if AMAFCA does not need it anymore - if not this year, then in the near future. If it is truly surplus, perhaps it would be best to sell it. He noted that the funds so realized could be earmarked for a long-term need.



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Chairman Hernandez suggested forming a Real Estate Committee to consider if some of the properties could be designated as surplus, and make a recommendation to the Board at the next meeting.

After hearing a description of each of the parcels, the consensus of the Board was to defer a decision for a month so that Director Thomson could be taken on a field trip to see the parcels. The parcels identified as number 3, 5, 6, and 8 would be looked at specifically as parcels that possibly could be designated as surplus (in some cases, only if a project were to be built).

Chairman Hernandez noted that, in the past, the Board has stated that the time to consider selling some of these parcels was when the money was needed in the budget. This appeared to be that time.

After discussion, the Board also supported considering leasing parcel number 7 directly to Game & Fish, rather than selling it to the landowner who leases the building to Game & Fish.

b. AMAFCA Equipment and Fleet Evaluation

Mr. Lovato presented the Board with Mr. Wagener's annual Equipment and Fleet Evaluation, as Mr. Wagener was on his way to Santa Fe. He stated that the AMAFCA Fleet schedule shows no trucks or equipment being replaced in FY 2012. Mr. Wagener recommended continuing to use Unit 301, the older John Deere Front End Loader, and Unit 205, a Ford Dump truck, as backups.

Mr. Lovato noted that the purchase of a new Compact Track Loader, approved by the Board for FY 2011, had been held off until the first half taxes were received and the mid-year budget review had been presented to the Board. He stated that Mr. Wagener expected to bring a recommendation of award to the Board at the April 28, 2011 Board meeting.

Mr. Wagener's recommendation was that no replacement of existing equipment or trucks and no purchases of new equipment or trucks be included in the FY 2012 Operating Fund Budget.

Director Brown noticed that the fleet schedule showed three dump trucks reaching the end of their expected useful life next year. Mr. Lovato stated that by not purchasing any equipment or trucks in FY 2012, he was hoping to be able to replace two of them in FY 2013 and one more in early FY 2014, or all three in FY 2013. One truck has had its engine replaced, and another has had its transmission replaced. However, the crew is handling them carefully, and some repairs have been made to extend their life as much as possible.

Mr. Lovato stated that, to extend the life of existing equipment, he was recommending that additional funds be budgeted for repairs and rentals in the Operating Fund Budget.



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The consensus of the Board was to support this approach.

c. FY-2012 Revenue Projections

Mr. Lovato introduced Kevin Powers from RBC Capital Markets, AMAFCA's Financial Advisor.

Mr. Powers briefed the Board on his FY-2012 revenue projections for AMAFCA, stating that the projections were very conservative. He recommended that the budget utilize a flat assessed valuation (no growth) for 2011, with growth commencing in 2012 and beyond at 2.50% per year. This will account for the protested properties returning to the rolls in tax year 2011, with little or no increase in overall assessed valuation. 2.50% is a conservative value for growth in following years.

Mr. Powers also discussed yield control and its effect on mill levy rates, and the overall tax collection rate, noting the difficulty in keeping the rates at current levels or below the current level. He stated that the yield control formula requires that if one rate is the same as the previous year it generally requires that the other rate be reduced, thus having the unintended consequence of actually reducing revenue needed for the Operating Budget. He also compared local tax collection rates with those of other southwestern communities.

Director Eichenberg noted that tax lightning legislation had passed both houses of the legislature, but the two versions were not in concurrence. He opined that homes in older neighborhoods that are currently assessed at half their values will be raised 3% this year. As tax lightning legislation didn't pass, values will not be rolled back on new construction since 2004.

Mr. Powers added that their recommendations would support continuing the current bond program without interruption, at the current tax rates.

Director Eichenberg questioned if the Board wanted to put a bond authorization on the ballot in 2012, in light of the current economic climate. Chairman Hernandez stated that the Board would have to discuss this at a future meeting.

d. Draft FY-2012 Operating Fund Budget

With the aid of a PowerPoint presentation, Ms. Jeffries reviewed the first draft of the FY-2012 Operating Fund Budget.

She noted that projected tax revenues were computed using the current mill levies at a 95% collection rate. The draft budget utilizes a flat assessed valuation (no growth) for 2011, with growth commencing in 2012 and beyond at 2.50% per year.



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She noted that, although the projection for FY 2011 shows cost overruns in some line items, overall projections for Total Expenditures for the year are at 98% of budget, due to savings in other line items.

Ms. Jeffries noted some of the major changes in the proposed FY-2012 budget from the FY 2011 budget:

- Payroll expenses (FICA, PERA, RHC, and Insurance) are computed at a percent of salary, using estimated amounts;
- Service contracts/support increased due to addition of a printer maintenance contract and maintenance/support for new accounting software;
- Upgrade accounting software;
- Redistricting as required by NMSA 72-16-10;
- Rental Equipment increased to insure AMAFCA has adequate access to equipment;
- Equipment Maintenance and Repair increased as AMAFCA is not proposing to buy any new heavy equipment;
- Fuel, Mileage increased due to anticipated increased costs;
- Dam surveys added to address Office of the State Engineer requirements;
- Microfiche scanner added to replace current obsolete microfiche reader;
- New telephone system to study an upgrade to a digital phone system, and for the necessary mechanical upgrades in the office before a new system is purchased; and
- Large format plotter/scanner to allow AMAFCA to internally scan all documents, plan sets and designs that are currently in paper form, as well as handle large format printing needs.

Ms. Jeffries stated that she would have firm costs for payroll expenses at next month's Board meeting.

She noted that the FY 2012 budget does not recommend the purchase of heavy equipment or trucks. She concluded, stating that the draft FY 2012 budget shows a budget cut of \$22,962.

Ms. Jeffries requested Board input on the proposed budget. She noted that this is the first draft of the budget, and a second draft will be brought to the Board in April. The budget will be adopted via resolution in May, to be sent to the Department of Finance Administration by the June deadline.

Mr. Lovato stated that the budget reduces the beginning balance for FY 2013, to an amount less than the full-year budget. The FY 2012 budget continues the practice of including a transfer to the Contingency Fund, which will be \$100,000 in FY 2012, if approved by the Board. The budget also proposes a transfer to the Building and Yard Improvement Fund of \$50,000.



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In response to Director Eichenberg's question about employee PERA contributions, Mr. Lovato stated he would determine the breakdown between employer and employee contributions for other agencies, and report back. Director Eichenberg requested that staff determine the State, County, and City's shares of PERA contributions.

Responding to Director Thomson's question about data services, Mr. Lovato stated that staff had determined it will be cheaper to host the AMAFCA interactive map application on "the Cloud" rather than internally, reducing the amount needed for this in the budget.

The Board did not modify the draft Operating Fund budget.

Due to a prior commitment, Director Brown left the meeting at 2:20 p.m.

e. Draft FY-2012 Contingency Fund Budget

Mr. Lovato covered the changes in the Contingency Fund Budget from how it had been presented in prior years. Funds for Compensated Absences Payable and for several projects were moved from Expenditures to the fenced funds, so that the Board would be made aware of any transfers. Funds for redistricting are included under Expenditures, as are funds for potential fuel cost spikes.

He stated that by having some funds fenced for Compensated Absences Payable, funds would be available if an employee should happen to retire during the year. Director Eichenberg asked how much sick leave and vacation time current employees could accrue. Mr. Lovato and Brad Bingham stated that sick leave was accrued at 4 hours per pay period with a maximum amount accrued of 1200 hours. Vacation is accrued at different rates depending on the length of employment.

Director Eichenberg stated that he liked the negative approach to the budget, but opined that he would like to see the budget further reduced, by about 5-8%. He stated that, in view of current economic times, AMAFCA could be criticized by other agencies if it didn't lower its budget.

Director Eichenberg and Chairman Hernandez both expressed approval of having funds for Compensated Absences Payable fenced in the budget.

f. Draft FY-2012 Construction Fund Budget

Mr. Lovato stated that the draft Construction Fund Budget is shown in a declining balance format. Upcoming and current construction projects are included.



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He noted that the budget looks at the next eighteen months. The current cash balance is about \$11 million, and \$20 million in bond sales was authorized in November 2010. Including a \$1 million transfer from the Contingency Fund for the North Diversion Channel and the Hahn Arroyo, about \$32 million is available for projects.

Mr. Lovato stated that only three uncompleted projects from the 2010 Project Schedule listings through FY 2010 are not on the list: Central San Pedro Storm Drain, Bryn Mawr/Aztec, and Sage Brush Trail Dip Section Removal. These projects are cost-shared with the City of Albuquerque, and are not currently on the CABQ Decade Plan; therefore they could not be cost shared at this time.

He stated that the budget includes about \$5.6 million in current on-going construction projects. The upcoming construction projects of about \$20.9 million are projects where there is an agreement to do the work, and the projects are on AMAFCA property, with one exception – the North Diversion Channel/Indian School Water Quality Facility, which still needs an agreement.

Mr. Lovato noted one new contract on this list, the AMAFCA Ecosystem Preservation and Maintenance Contract. This will be a construction contract to take care of landscaping and water quality facilities on existing projects with the City of Albuquerque where AMAFCA is required, by contract, to maintain landscaping for a period of two to four years before the project is turned over to the City for maintenance. AMAFCA has tried in the past to do this in-house, but it is not very cost-effective. As an example, when the Hahn Arroyo Rehabilitation Project is finished, AMAFCA will need to maintain it for three years before the City will take over landscape maintenance. This new line item will provide for a contract to take care of this and similar maintenance requirements.

He stated that the budget also includes cost share agreements, with \$7 million in cost share reimbursements to AMAFCA and \$8 million in cost share agreements to other agencies. \$1.4 million is budgeted for construction management, \$680,000 for current design work, and \$545,000 for upcoming design work. The budget also includes \$131,000 for current planning and hydrology studies, and \$420,000 for upcoming planning and hydrology studies. The budget also includes \$700,000 for right of way acquisition, platting, and surveys.

Mr. Lovato highlighted details of several other projects and their status.

In response to a question from Director Thomson about how priorities are established, Mr. Lovato stated that these priorities are based on the 2010 Project Schedule, where the Board met and established priorities for projects throughout the AMAFCA jurisdiction. The project schedule is updated every two years, with input from other agencies.



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Chairman Hernandez stated that sometimes the prioritization is that AMAFCA is ready to proceed on one project now, but is not ready to proceed on another project. As an example, Mr. Lovato mentioned the Boca Negra Dam, which has been on the schedule for about four years. There are agreements with the City of Albuquerque and two private landowners regarding the dam. Once everything comes together, construction will begin.

Responding to a question from Director Thomson about monitoring requirements under the MS4 permit, Mr. Lovato stated that under Upcoming Construction, AMAFCA to Other Agency Cost Shares, \$100,000 is budgeted to the USGS for construction of the North Diversion Channel/Rio Grande Multi Parameter Monitoring Stations. Money is budgeted in the Operating Fund for monitoring the stations.

Due to a prior commitment, Director Eichenberg left the meeting at 2:39 p.m. Chairman Hernandez noted there were no action items remaining.

21. Unfinished Business

a. Update on Don Felipe / Raymac / McCoy Dams Watershed Drainage Management Plans

Ms. Mazur gave the Board an update on the Don Felipe/Raymac/McCoy Dams Watershed Drainage Management Plans (DMP). She stated that AMAFCA has been studying the dams for the last several years, with the main focus being getting the Probable Maximum Precipitation (PMP) hydrologic reports approved by the Office of the State Engineer (OSE).

She stated that they started with the AHYMO hydrologic model, which was not accepted by the OSE, so work was switched to the HEC-HMS model. To date, only the hydrologic report for the Don Felipe Dam has been approved. The McCoy Dam report was resent in early March. Work on the Raymac Dam report is progressing (work was delayed on the Raymac Dam until it was determined what would be accepted by the OSE). As the PMP reports are approved, AMAFCA can proceed with the dam inundation analyses, which are mandated by the OSE for all jurisdictional dams.

Ms. Mazur stated that DMPs are also being prepared for the three dams. The DMP for McCoy Dam will be an abridged DMP. The DMPs use the 100-year storm for the analyses and are not contingent on OSE approval. These DMPs are important because most of the upstream watersheds for the dams have not been developed. The DMPs will outline upstream facilities that may be required to maintain the volume capacity in the dams. Construction improvements to the dams to increase the volume capacity will also be evaluated.



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She noted that a public meeting for all the dam watersheds was held in March 2010. The preliminary DMPs will be completed by the end of the summer. She stated that a briefing to the Board was anticipated in August, with a public meeting in September.

In response to a question from Director Thomson, Mr. Lovato stated that AMAFCA had spent two years trying to convince the OSE that AHYMO was the best hydrologic model to use for the PMP analysis in this region. He noted that the HEC-HMS model, which was acceptable, showed less water reaching the dams. The newest version of HEC-HMS has been tweaked to show more water. AMAFCA still accepts AHYMO for reports submitted to AMAFCA, but is migrating to HEC-HMS for various reasons.

At 2:44 p.m., Director Thomson stated that he also had another commitment and had to leave. Chairman Hernandez noted that there was no longer a quorum, and stated the rest of the agenda would be deferred until the next Board meeting.

b. Update on Albuquerque West Levee Project LOMR

Deferred to next month.

c. Update on Volcano Cliffs Sector Development Plan

Deferred to next month.

d. Update on Meeks Drainage Easement

Deferred to next month.

22. New Business

Deferred to next month.

23. Adjourn

There no longer being a quorum, Chairman Hernandez adjourned the meeting at 2:45 p.m.

Bruce M. Thomson, Secretary-Treasurer, 4/28/11

Recorded by Pamela Woodruff, Executive Secretary