



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 1**

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

Chairman Eichenberg called the Regular Board Meeting to order at 10:07 a.m. Thursday, March 22, 2012. Roll was noted as follows:

|                    |   |
|--------------------|---|
| Directors present: | Chairman Tim Eichenberg<br>Director Danny Hernandez<br>Director Bruce M. Thomson<br>Director Ronald D. Brown<br>Director Daniel F. Lyon |
| Directors excused: | None  |
| Others present:    | Jerry M. Lovato, P.E., Executive Engineer<br>Attorney Marcus Rael, Jr.<br>Staff<br>Other attendees on file at AMAFCA                    |

A quorum was present.

**2. Approval of Agenda**

Mr. Lovato noted that there was a late mailout on agenda item 19c, and there were handouts on agenda items 19d, 19f, and 21a. There were no changes to the agenda.

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

**3. Meetings Scheduled**

- a. **Thursday, April 26, 2012, 10:00 a.m. – Regular Meeting**
- b. **Thursday, May 24, 2012, 10:00 a.m. – Regular Meeting**
- c. **Thursday, June 28, 2012, 10:00 a.m. – Regular Meeting**

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

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

Director Hernandez thanked Director Thomson for appearing on the "Children's Hour" program on KUNM last weekend to educate kids on water issues. Director Thomson stated that he enjoys educating children on where our water comes from, how we use it, where it goes after it goes down the drain, and the importance of keeping storm water clean.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 2**

**6. Approval of Minutes**

**a. February 23, 2012 Regular Meeting**

Director Lyon made a motion to approve the minutes of the February 23, 2012 Regular Board Meeting. Director Hernandez seconded the motion, which passed unanimously (5-0).

**b. March 8, 2012 Special Meeting**

Director Lyon made a motion to approve the minutes of the March 8, 2012 Special Board Meeting. Director Brown seconded the motion, which passed (3-0). Directors Hernandez and Thomson abstained from voting as they were not present.

**6. Financial Matters**

**a. Approval of February 2012 Expenditures**

Irene Jeffries, AMAFCA Finance and Administration Manager, presented the February 2012 Expenditure Report.

In response to a question from Director Thomson about property taxes, Loren Hines, AMAFCA Real Estate Manager, stated that Longford Homes had not paid the first half of the 2011 property taxes on property, conveyed to AMAFCA in June of 2011, for the Boca Negra Dam. AMAFCA paid those taxes so that the Boca Negra Dam Plat could be recorded. The taxes were paid to expedite the recording process. AMAFCA will attempt to recover taxes for all of 2011 from Longford per the Boca Negra Dam Construction Agreement.

Chairman Eichenberg noted that transfer of ownership and assessments are made on January 1 of each year. Mr. Hines stated that property conveyed to AMAFCA prior to January 1 is exempt from taxes for the following and subsequent years.

Director Brown made a motion to approve the February 2012 Expenditure Report. Director Lyon seconded the motion, which passed unanimously (5-0).

**b. Investment Report for February 2012**

Ms. Jeffries presented the investment report for February 2012. There were no questions, and no Board action was required.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 3**

**c. Financial Recap February 16, 2012, through March 15, 2012**

Ms. Jeffries presented the Financial Recap for February 16, 2012 through March 15, 2012. There were no questions, and no Board action was required.

**d. Financial Forecast March 16, 2012, through April 15, 2012**

Ms. Jeffries presented the Financial Forecast for the period March 16, 2012, through April 15, 2012. She noted that the recommended \$400,000 expenditures in the Operating Fund included payments to the City of Albuquerque for five payroll periods. She also noted that the Construction Fund reflects funding from Spectrum Acquisition for the Calabacillas Arroyo Grade Control and Bank Protection Project. \$500,000 was invested in the State Local Government Investment Pool within the time frame of the forecast.

Ms. Jeffries requested Board approval of the forecast.

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

**e. Update on the AMAFCA Moody's Rating**

Ms. Jeffries introduced Loretta Brush of RBC Capital Markets, AMAFCA's current Financial Advisor. Ms. Jeffries referred to a memo from RBC Capital Markets regarding what impact the future Moody's bond rating might have on AMAFCA's future bond sales, and what steps AMAFCA might take to mitigate those potential impacts.

The memo briefed the Board on AMAFCA's bond rating at Moody's, which is likely to change if the federal government is downgraded from its current Aaa rating. Bernalillo County and the State of New Mexico also face a change in their bond rating.

In response to a question from Director Brown, Ms. Brush confirmed that local and state government downgrades are happening all across the United States, in areas where the economy is partially dependent upon federal spending, such as areas with military bases and national laboratories. Any action by Moody's to downgrade the federal government would have far-reaching effects throughout the United States.

Director Hernandez noted that if it is happening everywhere, AMAFCA faces a level playing field in relationship to other agencies who might also be selling bonds.

Director Brown commented that the bond rating agencies are simply protecting themselves after the issues surrounding the ratings of junk bonds.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 4**

Ms. Brush expounded further on the recommendations in the memo, and noted that Moody's has not acted yet. Everything is currently in a holding pattern, waiting for the anticipated downgrades to be announced.

**7. Legal**

**a. Status Report**

Attorney Marcus Rael, Jr., stated that his memo briefed the Board on the status of various legal matters, and answered several questions from the Board.

**b. Pending Litigation**

Chairman Eichenberg stated that discussion of pending litigation would be in closed session.

Director Brown 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 "*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens,*" seventh edition, 2010, to discuss pending litigation. Director Hernandez seconded the motion.

Chairman Eichenberg stated that the closed session would be for purposes of discussion only, regarding pending litigation. The motion passed unanimously (5-0), on a roll call vote.

Chairman Eichenberg closed the meeting at 10:22 a.m.

Director Hernandez made a motion that the meeting be re-opened, where pending litigation was discussed and no decisions were made. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Eichenberg reopened the meeting at 10:52 a.m. He stated that the Board had taken no action during the closed meeting, but had discussed pending litigation and given direction to AMAFCA's attorney.

**8. Request for Travel Authorization – StormCon 2012, August 19-23, 2012, Denver, Colorado**

The memo from Mr. Lovato stated that Director Hernandez had requested that he be allowed to attend the StormCon conference in Colorado in August. The memo noted that Director Hernandez had attended the National Levee Summit in St. Louis in 2008, and the Association of State Floodplain Managers Annual Conference in 2009. In 2011, he gave a presentation to EPA Region 6 during the Annual EPA MS4 Conference in San Antonio, Texas.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 5**

Mr. Lovato's memo requested that the Board authorize out of state travel and expenses for Director Hernandez to attend the conference.

Director Lyon made a motion that the Board authorize out of state travel and expenses for Director Hernandez to attend the North American Surface Water Quality Conference in Denver, Colorado, August 19-23, 2012, not to exceed \$1,600.00, pursuant to Resolution 1998-16. Director Brown seconded the motion.

Chairman Eichenberg requested an amendment to the motion, to approve conference registration for him to also attend the conference. He stated that he would cover his own hotel, airfare, and meal expenses, and requested that he be approved an amount not to exceed \$500.00 for conference registration if it fit his schedule.

Director Lyon amended his motion to double the authorized amount and have both Chairman Eichenberg and Director Hernandez attend the conference, as surface water quality is an important issue to AMAFCA and both Directors should be treated the same. Director Brown seconded the amendment.

Chairman Eichenberg made a motion to amend the amendment to remove authorization for hotel, airfare, and meals for Chairman Eichenberg, and authorize only registration. Director Hernandez seconded the motion, which passed 4-1, Director Lyon voting against.

Chairman Eichenberg noted that he could fly free, and had a free place to stay in the area, and he did not need the taxpayers to cover those expenses for him.

The amended motion, that the Board authorize out of state travel and expenses for Director Hernandez, in an amount not to exceed \$1600, and Chairman Eichenberg, in an amount not to exceed \$500, to attend the North American Surface Water Quality Conference in Denver, Colorado, August 19-23, 2012, pursuant to Resolution 1998-6, passed unanimously (5-0).

**9. AMAFCA Financial Advisor – Consideration of Selection Advisory Committee Recommendation**

Mr. Lovato stated that the Board of Directors, serving as a Committee of the Whole, met on March 8, 2012 to discuss the two proposals which had been submitted in response to a Request for Proposals for AMAFCA Financial Advisor. The Selection Advisory Committee (SAC) recommended that the Board select George K. Baum & Company for Financial Advisor Services. He recommended the Board accept the recommendation of the SAC.

Director Hernandez made a motion that the Board accept the recommendation of the Selection Advisory Committee, and authorize the Executive Engineer to commence negotiations for Financial Advisor Services with George K. Baum & Company per the New Mexico State Procurement Code. Director Lyon seconded the motion, which passed (4-1).



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 6**

Director Brown, who voted against the motion, stated his opinion that AMAFCA needed the continuity of RBC Capital Markets' input regarding the actions of the rating agencies.

Chairman Eichenberg recognized Mark Valenzuela of George K. Baum & Company. Mr. Valenzuela stated that he looked forward to working with AMAFCA as their Financial Advisor.

Chairman Eichenberg requested that Mr. Valenzuela look at RBC Capital Market's analysis of the potential reduction in bond ratings with the downgrading of the federal government. Mr. Valenzuela stated that his firm had also been following the issue, and would look at the memorandum.

**10. AMAFCA Bond Counsel – Consideration of Selection Advisory Committee Recommendation**

Mr. Lovato stated that the Board of Directors, serving as a Committee of the Whole, met on March 8, 2012 to discuss the three proposals which had been submitted in response to a Request for Proposals for AMAFCA Bond Counsel. The Selection Advisory Committee (SAC) recommended that the Board select Modrall Sperling for Bond Counsel Services. He recommended the Board accept the recommendation of the SAC.

Director Brown made a motion that the Board accept the recommendation of the Selection Advisory Committee, and authorize the Executive Engineer to commence negotiations for Bond Counsel Services with Modrall Sperling per the New Mexico State Procurement Code. Director Hernandez seconded the motion, which passed unanimously (5-0).

Chairman Eichenberg recognized Duane Brown, of the Modrall Sperling law firm. Mr. Brown stated that he looked forward to continuing to work with AMAFCA as Bond Counsel.

**11. Executive Engineer's Report**

**a. Notification of Past Month's Activities**

Mr. Lovato highlighted significant activities of the past month, which were further discussed in his memo to the Board. He covered the following:

- **Corps of Engineers (COE) – Southwest Valley Flood Reduction Project (SWVFRP):** AMAFCA and Bernalillo County staff, along with COE staff, completed a preliminary final inspection of Phase I. High Mesa Consulting had been engaged to verify the as-built conditions, and discovered that portions of the project were not constructed per the design, which is causing water to pond. This information was given to the COE.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 7**

AMAFCA crews have cleaned portions of the Los Padillas Drain and the Isleta Drain of tumbleweeds.

In response to a question from Director Thomson, Mr. Lovato confirmed that the project is below the water table, so water will be present. However, due to the designed slope, water was supposed to flow and not stagnate.

Responding to queries from Chairman Eichenberg, Mr. Lovato stated that he had notified the COE approximately 30 days ago about the issue, and was waiting to hear what they would do about the problem. He also stated that he had sent a letter to the individual who had contacted AMAFCA about the standing water in the project.

Chairman Eichenberg requested that Mr. Lovato give that individual a phone call to explain the situation and the design.

Director Hernandez also requested that Mr. Lovato inform Bernalillo County Commissioner Art de la Cruz, who has been involved in this project, about the status of this issue.

Roger Paul, of the Bernalillo County Public Works Department, stated that the County has spoken with the individual who wrote the letter and has been keeping Commissioner de la Cruz informed. He noted that AMAFCA crews had cleaned out the inlets but that the construction defects still needed to be resolved.

The Albuquerque District has started the amendment process to amend the Project Cooperation Agreement (PCA) to allow the local sponsors to move forward with completing Phase II of the project. The Albuquerque District is preparing the Integral Determination Report (IDR), which will be used to support the modification to the PCA, which should take about two more months. Bernalillo County and AMAFCA are moving forward with the preliminary design for Pond 187 and six road crossings along the Los Padillas Drain to identify any additional easements that may be needed to construct the project.

*Calabacillas Arroyo:* The COE, Sacramento Division has ruled the AMAFCA appeal has merit and will hear the appeal of the Albuquerque District's Jurisdictional Determination. AMAFCA staff has completed work on the 90% design drawing for the AMAFCA portion of the project, and will be requesting permission to advertise for bids this month. Staff will adjust the award schedule once the appeal is heard.

- **City of Albuquerque (COA) – Boca Negra Dam:** AMAFCA has submitted the plan set for final approval by the Office of the State Engineer. AMAFCA staff had a meeting with the OSE scheduled for March 20 to discuss any issues. Staff is confident that the plans will be approved and will ask for permission to advertise the project for



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 8**

construction bids. Discussions with The Trails and COA staff regarding the four-party agreement are ongoing.

*Osuna Boulevard, Singer Road Multi-Use Trail Notch:* The Osuna Multi-Use Trail Notch Project has started, with removals begun by David Montoya Construction. The Singer Road Multi-Use Trail Notch is still in design and a 35% design has been sent to the Corps of Engineers for review.

*Channel Road along North Diversion Channel:* A 60% preliminary design along the east side of the North Diversion Channel has been reviewed by AMAFCA staff. AMAFCA comments included the lack of any storm water quality BMPs on the project. Staff is recommending that water quality manholes be installed and that the COA should consider regional sized facilities on the project. The City of Albuquerque would like to have final designs approved by May 2012. It is unknown at this time if the COE will have their review completed by that date.

*Arno Pond:* The AMAFCA Board has expressed concerns that the Broadway Pumps Station and Arno Pond projects were more focused on maintenance of existing facilities than on flood control projects. The Board also wanted to ensure that any new projects in this area would include some type of neighborhood amenity (multi-use) in addition to providing flood relief. The COA is reassessing both the Broadway Pump Station and the Arno Pond to come up with ways to make both better projects.

Director Hernandez met with members of the Santa Barbara Martineztown Neighborhood Association at AMAFCA, during which several alternatives were discussed, and the COA had held a public meeting on the Mid Valley Drainage Management Plan.

Director Thomson stated that he had a conversation with Mr. Lovato and Roland Penttila, of the City of Albuquerque, after the last Board meeting. He commented that it may be difficult to make the Arno Pond multi-use due to the depth needed, but the City is considering alternatives.

Chairman Eichenberg noted that, in a conversation with Barbara Baca, of COA Parks and Recreation, he learned that multi-use of the Arno Pond may be impossible due to the depth of the pond. The smaller parcel, which will be east of the church, will be nearly impossible.

Director Brown commented that the position of the Board is that it is desirable that some sort of neighborhood amenity be incorporated into the pond design, if possible. If it can't be done because of the requirements of the facility, then so be it.

Director Hernandez stated that he and Mr. Lovato had made a few proposals at the neighborhood association meeting which were positively received, and he had spoken with other elected officials to try to obtain outside funding. They also liked the proposals.





**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 9**

Chairman Eichenberg suggested that the City consider something like the public art at Calabacillas Arroyo, perhaps addressing the history of the area, to make the pond a nice place to walk, if it cannot be a multi-use facility.

Director Hernandez stated that if the pond itself is too deep or the sides too steep to incorporate public multi-use of the pond site itself, the pond might be enclosed in a wall that looks like a building from the outside, with the artwork done in conjunction with the "building." Chairman Eichenberg echoed this idea, noting it would be like the old Creamland Dairy plant.

Mr. Penttila stated that the City agrees with the public art approach, and he is on the agenda to discuss this at the next COA Arts Board meeting.

- **Public Outreach** – *South West Valley Flood Reduction Project Phase I*: Mr. Lovato was interviewed by the media in relation to complaints from residents who live near the Los Padillas Diversion. The interview has not aired.

*Design Award*: AMAFCA received the New Mexico Society of Professional Engineers Albuquerque Chapter Project of the Year Award for the South Diversion Channel Baffle Chute Stormwater Quality Facility. Kevin Daggett was the project manager on the project, and it was a very innovative project.

- **U.S. Fish and Wildlife Service (USFWS)** – *Price's Dairy*: The USFWS is pursuing the purchase of Price's Dairy as an Urban Wildlife Refuge, and has met with Bernalillo County and AMAFCA concerning the flood control projects described in the Southeast Valley Drainage and Stormwater Quality Management Plan (SEVDSQMP) currently being reviewed at AMAFCA. He noted this would be discussed further, later in the Board meeting.

*North Diversion Outfall, Embayment Area*: The bulk of the project was complete and a full summary of the project will be covered under agenda item 16a.

- **AMAFCA** – *AMAFCA Policy for Invoice Payment*: The 2009 policy for invoice payment was revised to address AMAFCA staff title changes. A copy was provided for the Board's information.

Director Brown commented that two signatures were required, and asked who was authorized to sign the checks. Mr. Lovato stated that in addition to himself and the Finance and Administration Manager, Irene Jeffries, Director Brown was also authorized to sign checks.

Chairman Eichenberg stated that the policy should add safeguards in case the Finance and Administration Manager and Executive Engineer were unavailable to sign checks. Ms. Jeffries



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 10**

noted that both Director Brown and Chairman Eichenberg were additional signatories on the AMAFCA accounts. Mr. Lovato stated that it was a matter of hours to add additional signatories at the bank, and a three-day process through the state.

The Board supported having the Chairman and Secretary-Treasurer as alternate signatories on the checking accounts.

*Corps of Engineers Jurisdictional Determination:* Mr. Lovato had provided a memorandum regarding the jurisdictional determination process to the Board. The memorandum was prepared by Attorney Rael.

In response to a question from Director Thomson, Mr. Rael stated that a stormwater facility must "significantly affect the chemical, physical, and/or biological integrity" of the river to be considered something that "significantly affects the integrity" of the Rio Grande.

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

Mr. Lovato stated that two on-call task orders had been issued this month, and gave further information to the Board. There were no questions.

**12. Albuquerque Public Schools Stadium**

**a. Draft Turnkey Agreements with Albuquerque Public Schools for facilities constructed along with the Stadium**

Bradley Bingham, AMAFCA Drainage Engineer, introduced Marty Eckert, of Albuquerque Public Schools (APS).

Mr. Bingham stated that two draft turnkey agreements had been drawn up, one for the Dam 9 Diversion, and the other for Pond 5S. These facilities will be constructed by APS in conjunction with the construction of the new APS Stadium, and will be turned over to AMAFCA for maintenance through a turnkey agreement. APS will provide drainage easements to AMAFCA for the facilities, which are identified in the recently updated West I-40 Drainage Management Plan.

He noted the agreement for the Dam 9 Diversion Channel provides for AMAFCA maintenance. The agreement for Pond 5S facility, a two-chambered pond, provides for AMAFCA maintenance of the primary sediment chamber, and structural maintenance only in the secondary chamber. APS will maintain vegetation and handle debris removal in the secondary surge pond.

He requested Board review and comments on the draft turnkey agreements to fund, build, and maintain Pond 5S and the Dam 9 Diversion Channel, noting that both were undergoing legal review by the parties.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 11**

In response to a question from Director Thomson, Mr. Bingham noted that the facilities were designed and sized for future developed conditions, and the pipe in Arroyo Vista will be extended when the upper basins are developed. The Dam 9 Diversion Channel may not be needed after the schools are built and the upper reach of the basin is developed.

The Board discussed the maintenance responsibilities for the facilities.

Responding to a question from Chairman Eichenberg, Mr. Eckert stated that APS would be funding the construction of the improvements, which will be completed next winter.

Mr. Lovato added that APS will handle regular surface maintenance. AMAFCA will only need to maintain the facilities after major rain events. This could include sediment removal or structural repairs. APS will also install the fence to the west.

Director Hernandez noted that APS would handle regular pickup of trash and other similar maintenance, and AMAFCA would only be responsible for maintenance after major storms.

Mr. Lovato noted that this facility will drain to Dam 5, which already has a water quality feature. This facility will be easier to clean up than Dam 5.

Responding to a question from Chairman Eichenberg, he also noted that the nearby parking lot drains south to Ladera Dam 3, which also has a water quality feature in place.

Mr. Eckert stated that the secondary chamber of Pond 5S will be between the stadium and a proposed county park to the west, which is anticipated to be a soccer complex. At this point, APS is anticipating using the secondary chamber as football or soccer fields, and may include baseball or softball fields as well. APS is working with the design team to make it not only aesthetically pleasing, but also functional for multi-use and for drainage. The design follows existing contours where possible. He also noted the area will be fenced on the west to keep cattle out of the facilities and the neighborhood, although there will not be a fence around the actual facility.

After further discussion, consensus of the Board was support of the turnkey agreements.

**13. AMAFCA Joint Projects with the City of Albuquerque**

**a. Update on the Funding Agreement for the Alameda-Riverside Drain Restudy**

Mr. Bingham stated that, at the February Board meeting, staff had been directed to seek funding from the Village of Los Ranchos and from the Middle Rio Grande Conservancy District (MRGCD), as those entities would also benefit from this project. To that end, Mr.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 12**

Lovato had met with the Administrator of the Village of Los Ranchos and with the CEO/Chief Engineer of the MRGCD, and had requested to appear at the April meetings of the Village of Los Ranchos Trustees and the MRGCD Board of Directors.

Mr. Bingham also reported that he had attended the March meeting of the Village of Los Ranchos Trustees, to discuss the project agreement and funding. The Trustees were in support of the agreement and the project, and made some minor comments on the agreement. They were amenable to a \$10,000 contribution towards the project. The agreement will be on their April meeting agenda, and their contribution is expected to be finalized at that meeting.

There were no questions from the Board.

**14. AMAFCA Joint Projects with Bernalillo County**

**a. Sanchez Farms Tributary Storm Drains Update on Phase I**

Lynn Mazur, AMAFCA Development Review Engineer, introduced Dave Thompson, of Thompson Engineering Consultants, and Hugh Floyd and Chuck Easterling, of Easterling Consultants.

Ms. Mazur stated that the Board had authorized staff to pursue a funding agreement with Bernalillo County for the Goff Road Project, and for the Letter of Map Revision (LOMR) and Conditional Letter of Map Revision (CLOMR) submittals to the Federal Emergency Management Agency (FEMA). Staff was also authorized to negotiate with AMAFCA's consultants for Phase II of the project. Before the fee could be negotiated, an option had to be selected.

She stated that during coordination meetings with Bernalillo County staff, the project scope was expanded to remove as much floodplain as possible by extending the trunk system north of Bridge Boulevard. Bernalillo County and AMAFCA staff have also had discussions regarding the funding agreement. With the upcoming Bernalillo County Goff Road project due to begin in May 2013, this meant an accelerated design process, as it does not make sense to tear up the same road twice. AMAFCA will provide the storm drain design for the Goff Road Storm Drain. The Westside Community Center pond may be expanded to allow additional storage for the system.

Ms. Mazur introduced Clay Campbell, of Bernalillo County Parks and Recreation, who was also in attendance.

She stated that the County needs 65% plans in order to submit a CLOMR to FEMA. The agreement will need to include bringing the design beyond the conceptual design to the 65% design stage.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 13**

Ms. Mazur also noted that it is difficult to estimate how much the CLOMR/LOMR process will cost, so an interest bearing escrow account for the parties' funds was suggested. The highest priority CLOMR/LOMR will be processed first, then they will work down the list, adding more funds if necessary to remove additional floodplain. She stated that the County was open to this approach.

Dave Thompson introduced the Board to the project, showing the project area. He stated that the engineers tried to reduce the cost of the project by reducing pipe size and pond size rather than oversizing the facilities. Modeling was done to ensure that the facilities would work as designed and remove floodplain.

Hugh Floyd showed pictures of the existing ponding at intersections and on properties in the area, many of which are below the street elevation. The area is so flat that water does not drain, it just sits. This leads to a lot of shallow ponding, which was taken into effect during the modeling. As the water drains more slowly than in other parts of town, smaller pipe sizes are appropriate.

Mr. Floyd then ran the computerized XP SWMM drainage model to show how the proposed improvements would work. XP SWMM is a hydrodynamic model which is used for analysis of storm drains. The model shows that the flow from north of the proposed pond on Bowe Lane initially flows south past the pond, then reverses and flows north toward the pond. The water then flows north again out to the Bridge Storm Drain system as the pond drains.

He noted that the system relieves the Bridge Storm Drain system, and allows the expansion to relieve even more floodplain in the area than had originally been anticipated, and allows more tributary storm drains in a smaller diameter than originally thought. As a part of the improvements, the Westside Community Center Pond would be expanded from 1.5 acre/feet to 7.5 acre/feet. The large field in the adjacent park would be lowered about four feet.

Director Hernandez suggested that the pond expansion is an opportunity for more plaques and signage to provide greater community visibility that these are flood control facilities, and to improve public awareness and education on flood control. He also requested that secondary uses of the ponds be maximized.

Mr. Floyd stated that a second option involves larger pipes, but would reduce the Community Center pond expansion needed to only four acre/feet, and the park would only be lowered about two feet.

Mr. Floyd answered several questions from the Board.

Mr. Thompson stated that the next steps are to finish the design analysis report, which will be presented to the Board with construction cost estimates and recommendations.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 14**

Ms. Mazur stated that several coordination meetings have been held with the County. The design analysis report will be presented to the Board in April, with an agreement for approval anticipated in May.

**15. AMAFCA Construction Projects**

**a. Construction Engineering Services – Consideration of Agreement for Design Review and Construction Engineering Services for Boca Negra Detention Dam with Wilson and Company**

Kurt Wagener, AMAFCA Field Engineer, introduced Tyler Ashton, of Wilson and Company.

Director Hernandez briefly left the meeting at 11:47 a.m.

Mr. Wagener stated that the Board had approved the selection of Wilson and Company for Construction Engineering Services for the Boca Negra Detention Dam at the February 23, 2006 Board meeting, and had authorized negotiation of a contract.

He stated that the original Request for Proposals (RFP) included Final Review of Plans and Specifications. This work has been authorized by AMAFCA to Wilson under an on-call assignment in an effort to expedite the project and is therefore not included in this agreement. The agreement includes pre-bid activities, construction management, inspection, submittal review, preparation of change orders and pay estimates, geotechnical testing, close out, Operations and Maintenance Manual, Office of the State Engineer (OSE) monthly and completion reports, and final as-builts for the project.

Mr. Wagener stated that the current Engineer's Estimate for construction is \$4,200,000. The agreement has been reviewed by AMAFCA's attorney. He requested Board approval of the agreement with Wilson and Company, Inc., in the amount of \$389,986.00 for Construction Engineering Services.

In response to a question from Chairman Eichenberg about the delay since the RFP, Mr. Wagener stated that at the time of the RFP in 2006, it was thought that the OSE would be approving the plans momentarily. Since then, there have been years of OSE submittals, design changes, property acquisition changes, modeling changes, and other changes.

Attorney Rael opined that there were no difficulties with approving and executing an agreement this long after the RFP, as all the parties were kept informed during the delays.

Director Lyon noted that agenda item 15a needed to be passed in order to put the project out to bid in agenda item 15b.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 15**

Director Lyon made a motion that the Board approve the *Agreement for Design Review and Construction Engineering Services for Boca Negra Detention Dam* with Wilson and Company, Inc., to provide Construction Engineering Services for the construction of the Boca Negra Detention Dam in the amount of \$389,986.00, excluding New Mexico Gross Receipts Tax. Director Thomson seconded the motion.

In response to a question from Director Brown about the amount of the fee, Mr. Wagener stated that the agreement has more tasks included than in the usual construction engineering agreement. This agreement includes all the monthly OSE reports, geotechnical reporting (which alone total \$65,000), foundation treatment, and rock removal. Also, the agreement includes full time construction inspection for much of the construction, rather than the typical half time inspection. Virtually all of the construction activities involving the embankment of the dam and foundation will have a full-time construction inspector. He stated that he had negotiated more work for their initial proposed fee. He was comfortable with the amount, noting that it was higher due to this being a jurisdictional dam.

Responding to a question from Chairman Eichenberg about whether the Board would like to put out a new RFP, Director Brown stated that he would like to see the responsibility for design and construction remain within the same firm and under the same liability coverage.

Mr. Wagener noted that Dan Aguirre, of Wilson and Company, was submitted to the OSE as the engineer of record for construction of the dam. Going back to RFP would require a change with the OSE.

The motion passed (4-0), Director Hernandez being absent at the time of the vote.

**b. Boca Negra Detention Dam – Authorization to Advertise for Construction Bids**

Mr. Wagener stated that the Boca Negra Detention Dam Project was ready for bid, and approval of the plans from the OSE was expected soon. He requested the Board authorize the Executive Engineer to advertise the project for construction.

Director Brown made a motion that the Board authorize the Executive Engineer to advertise for construction bids for the Boca Negra Detention Dam. Director Lyon seconded the motion, which passed (4-0), Director Hernandez being absent at the time of the vote.

**c. Calabacillas Arroyo Grade Control Structures 3b and 3c and Bank Protection Project**

Mr. Wagener stated that the Calabacillas Arroyo Grade Control Structures 3b and 3c and Bank Protection Project was ready for bid, with the final plans being developed. Funding had been received from Spectrum Acquisition. AMAFCA is still working with the Corps of Engineers



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 16**

on the jurisdictional determination, but that process is moving forward. He requested the Board authorize the Executive Engineer to advertise the project for construction.

Director Brown made a motion that the Board authorize the Executive Engineer to advertise for construction bids for the Calabacillas Arroyo Grade Control Structures 3b and 3c and Bank Protection Project. Director Thomson seconded the motion, which passed (4-0), Director Hernandez being absent at the time of the vote.

**d. Agency and Area-Wide Flood Control Maintenance Contract 2012-2013 –  
Authorization to Advertise for Construction Bids**

Mr. Wagener introduced John Andrews with Larkin Group NM, the design engineers on this project, and the construction managers on the project as well.

Mr. Wagener stated that the Agency and Area-Wide Flood Control Maintenance Contract 2012-2013 was ready for bid. He noted that the City of Albuquerque and New Mexico Department of Transportation (NMDOT) had agreed to fund their portion of the project. Mr. Wagener requested the Board authorize the Executive Engineer to advertise the project for construction.

Director Thomson made a motion that the Board authorize the Executive Engineer to advertise for construction bids for the Agency and Area-Wide Flood Control Maintenance Contract 2012-2013. Director Brown seconded the motion.

In response to a question from Chairman Eichenberg, Mr. Wagener noted that the City and the NMDOT fully fund their portions of the work, including inspection. AMAFCA manages and administers the contract.

Responding to a question from Director Thomson, Mr. Wagener stated that the costs were estimated based on quantities and costs from the last two times the Agency and Area-Wide Flood Maintenance Contract was put out to bid. The contract runs through two storm seasons.

The motion passed (4-0), Director Hernandez being absent at the time of the vote.

**16. Storm Water Quality**

**a. Embayment Project Recap**

Mr. Lovato gave the Board a recap of the Embayment Project, noting that Kevin Daggett's memo covered the project in more detail. He stated that the project, scheduled for 60 days, was completed by the AMAFCA crew in just 30 days. There were no complaints during the project, and it is now complete with the exception of replanting willows. He thanked the Board for





**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 17**

allowing AMAFCA to use the maintenance crew to do the work, as it was instrumental in AMAFCA completing the project so quickly.

**b. Consideration of Resolution 2012-4, *Transfer of Funds from the Contingency Fund to the Operating Fund* for the Embayment Project**

Mr. Lovato requested that the Board approve and adopt Resolution 2012-4, *Transfer of Funds from the Contingency Fund to the Operating Fund*, for use in paying the costs incurred for the North Diversion Channel Embayment Project, which were not anticipated at the time of the budget process. The resolution covers overtime and related payroll expenses for the crew, and the rental of heavy equipment.

Director Hernandez returned to the meeting at 12:02 p.m.

Director Brown made a motion that the Board approve and adopt Resolution 2012-4, *Transfer of Funds from the Contingency Fund to the Operating Fund*, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Thomson seconded the motion, which passed unanimously (5-0), on a roll-call vote.

Chairman Eichenberg called a brief recess from 12:03 p.m. to 12:17 p.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. Field Report**

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

**18. Southeast Valley Drainage and Storm Water Quality Management Plan**

**a. Southeast Valley Drainage and Storm Water Quality Management Plan – Presentation by Wilson & Company**

Ms. Mazur introduced Tyler Ashton and Robert Fierro, of Wilson and Company.

She stated that the Southeast Valley Drainage and Storm Water Quality Management Plan (DMP) had been presented to the Board in October 2010. Public input and comments from the public meeting in April 2011 were incorporated into the DMP, along with comments from the



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 18**

primary stakeholders: Bernalillo County, the City of Albuquerque, the Middle Rio Grande Conservancy District, the New Mexico Department of Transportation, and Mesa del Sol.

She noted that former Board Chairman Danny Hernandez and Executive Engineer Jerry Lovato had met with the U.S. Fish and Wildlife Service (FWS) to discuss the purchase and use of the Price's Dairy property, comprising 570 acres east of the Rio Grande. Staff had several follow-up meetings with FWS and Bernalillo County Parks and Recreation Division regarding use of the Price's Dairy property for stormwater storage and attenuated discharge to the Rio Grande as shown in the DMP. The next agenda item covered this more fully.

Ms. Mazur noted that Wilson and Company is completing the final report. She requested Board input and comments on the Southeast Valley Drainage and Storm Water Quality Management Plan.

Tyler Ashton gave a presentation on the selected alternatives for the watersheds studied, showing the major proposed facilities and flow rates. The Broadway basin was not originally included, but was added on by NMDOT at their cost.

Mr. Ashton reviewed each watershed. He stated that in the Broadway basin, option 1 was the preferred alternative. In the Mountain View watershed, alternative 2 was chosen. Alternative 2 was the best option for the Far Southeast Valley watershed. The Mesa Top was also studied. For the 100-year, 24-hour storm, all of the water is contained on the mesa top. If there is a Probable Maximum Precipitation (PMP) storm, there is not enough natural playa storage on the mesa top and it will exit down Hells Canyon into the Isleta Pueblo. This is a 31" rainstorm. A PMP analysis was done on the Far Southeast Valley watershed as well. He described the basics of each of the preferred options, and noted that the system works well with additional outfalls to the river.

Robert Fierro pointed out proposed new outlets which will require a pump station or a combination gravity outlet/pump station to discharge to the river.

Director Thomson advocated for non-rectangular ponds and non-straight channels, for aesthetic reasons, whenever possible. Mr. Lovato noted that the outfall to the river proposed at the Price's Dairy location would look like an oxbow. Approximately 1500-1800 cfs would exit to the river at this point, making the rest of the project much cheaper.

Board consensus was support of the DMP. Ms. Mazur stated that she would present a resolution to adopt the DMP for the Board's consideration at the April Board meeting. Adoption of the DMP is required to proceed with a proposed funding agreement for acquisition of the Price's Dairy property.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 19**

**b. Urban Wildlife Refuge – Briefing by the U.S. Fish and Wildlife Service**

Ms. Mazur introduced Tom Harvey, of the U.S. Fish and Wildlife Service (USFWS), and Clay Campbell, of Bernalillo County Parks and Recreation. Both men have been instrumental in working towards the Urban Wildlife Refuge on the former Price's Dairy property.

Ms. Mazur stated that recent discussions with the USFWS had explored the idea of recreating a historic oxbow that once meandered through the Price's Dairy property, based on an aerial photo from 1935.

She noted that the Trust for Public Lands has a purchase agreement with the Price family for \$8 million, comprised of funding from various agencies. An appraisal is due in early April which will indicate how much property can be purchased for that amount. If the parties agree with the appraisal, the sale must close by the end of July, 2012. AMAFCA would like an adopted DMP in place showing use of the property for flood control purposes before potentially providing funding to acquire the property.

Ms. Mazur stated that, in September 2010, the Bernalillo County Commission had approved \$5 million towards land acquisition for the project. For their money, the County is obtaining a conservation easement. AMAFCA will need a drainage easement from the USFWS. Discussions are ongoing regarding a Memorandum of Understanding among the parties to work out the details of the funding arrangement.

Tom Harvey stated that the USFWS needs to finish the first phase of the property acquisition by July, 2012. A December 2011 workshop looked at historic features of the property to determine how these might be incorporated into stormwater uses and a wildlife refuge. The current concept appears close to a mutually agreeable facility. There are debris filter elements, a detention basin, a historic oxbow wetland concept, and a means of conveyance more directly to the Rio Grande. He stated USFWS's appreciation of AMAFCA's involvement to date in this innovative project, which will have a lot of educational value. Competition for funds at the national level is intense and they are working diligently to see this project come together.

Clay Campbell stated his appreciation of AMAFCA's involvement in the project. He noted that the recreated oxbow/wildlife refuge will create the naturalistic look desired by the Board, while providing a conveyance for stormwater to reach the river. Bernalillo County has committed \$5 million towards acquisition of the property, and would like phase I of acquisition to be completed this summer.

Director Hernandez asked if any other agencies had come forward with possible funding, other than AMAFCA and Bernalillo County.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 20**

Mr. Harvey stated that the Bureau of Reclamation recognizes the value of this project, pledging approximately \$1.5 million towards purchasing some of the water rights for the property. About \$3.25 million in total federal funds have been pledged towards the project. The total cost of the property depends upon the results of the appraisal, but was anticipated to be about \$15-20 million for all 570 acres.

Mr. Campbell stated that the value of the water rights is a major factor in the cost of the land.

Chairman Eichenberg asked if all of the water rights needed to be purchased, or if the land and some of the water rights could be purchased, leaving the Prices free to release the water rights to the City of Albuquerque or sell the remainder of the water rights elsewhere.

Mr. Harvey stated that the USFWS and Bureau of Reclamation wanted to acquire as many water rights as possible both for refuge use and to return some water back to the river. Directors Brown and Thomson noted that the value of senior water rights is down considerably from several years ago.

In response to a question from Chairman Eichenberg, Mr. Campbell stated that the Trust for Public Lands contract safeguards against the Prices selling the rest of the land for other purposes after a portion of it has been purchased for the initial phase of the refuge. The contract provides for multi-phase, multi-year acquisition of the entire property.

Director Hernandez suggested determining how much water would be needed for the project, and buying only that amount in water rights. Mr. Harvey stated a water budget was being put together. Approximately \$1.5 million worth of water rights will be needed for the project according to early estimates, based on their estimate of the probable value of the water rights.

Responding to another question from Chairman Eichenberg, Mr. Campbell stated that Bernalillo County didn't want the maintenance responsibilities of the land, but a conservation easement only. The County's Parks and Recreation Department cannot handle the maintenance responsibilities of an additional 570 acres of farmland. He noted that the USFWS is much better suited to maintenance of a property of this size.

In response to a question from Director Lyon, Mr. Harvey stated that USFWS would be the owner of the property.

**19. AMAFCA FY 2013 Budget**

**a. Surplus Property Report**

Loren Hines, AMAFCA Real Estate Manager, stated that he had provided his surplus property report to the Board for budgeting purposes.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 21**

Director Brown noted that this was *potential* surplus property, as none of it had been declared surplus by the Board at this point.

Mr. Hines agreed, noting that last year the Board had not been eager to dispose of property in the current real estate market.

He noted that New Mexico Game and Fish would like to lease the AMAFCA property next to their building, indicated as parcel #7 in his report, for additional parking and storage. He recommended a license rather than a lease. He also stated that he had received several offers on other parcels which had not been declared surplus. He had provided those offers to the Board.

He requested Board input for budgetary purposes and future action, recommending that the current leases be continued and asking for direction regarding the requests. He noted that a license for parcel #7 would allow it to be structured to expire at the end of Game and Fish's lease.

After discussion, Chairman Eichenberg asked staff to contact Game and Fish to determine if they would accept a license agreement rather than a lease for parcel #7 and if so, to negotiate a license with them.

Board consensus was to continue the current leases, pursue a license with Game and Fish for parcel #7, and to not declare any property as surplus this year.

**b. AMAFCA Equipment and Fleet Evaluation**

Mr. Wagener stated that the AMAFCA Equipment Schedule did not show any equipment replacement in FY 2013, and staff did not recommend the purchase of any new equipment in FY 2013.

He noted that the AMAFCA Fleet Schedule shows the three 1999 International 6 cy dump trucks, Units 201, 202, and 203, are scheduled for replacement in FY 2013. Last year, the Board approved keeping Unit 205, a 1993 Ford 6 cy dump truck, for use as a backup. He recommended that rather than purchasing three new 6 cy dump trucks, one tandem 13 cy dump truck be purchased, Units 205 and 202 be sold at auction, and that Units 201 and 203 be retained as backups and for use in tight areas.

He stated that the workload could be split between Units 201 and 203, extending their useful lifetime. The tandem axle dump truck would be similar to Unit 211, purchased in FY 2010 with a rock bed for hauling rip rap, concrete removal, and debris. The larger truck has been useful in hauling more material than two 6 cy dump trucks, but with only one driver. The two smaller trucks would still be available for use in tighter work areas.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 22**

He requested the Board consider including the purchase of a Tandem Axle Dump Truck with rock bed in the FY 2013 Operating Fund Budget at \$125,000.00.

Director Lyon made a motion to include the purchase of a tandem axle dump truck in the FY 2013 budget. Director Hernandez noted that staff was asking for direction, not a motion.

Director Brown noted that there might not be much market for used construction equipment in today's market. Director Hernandez suggested that all the trucks might be retained. Mr. Wagener noted that there is limited room in the AMAFCA yard, and that AMAFCA would still have to pay insurance on them, even if they were not being used.

In response to a question from Chairman Eichenberg about simply keeping the current units another couple of years and delaying the purchase of the tandem axle dump truck, Mr. Lovato stated that twice as much work can be done with only one driver when the tandem axle truck is used.

Director Brown stated that with the additional two years of depreciation, AMAFCA may not realize any more in a sale in two years than it might see now. Mr. Wagener noted that at a certain point, the age of the unit is more important than the miles. He noted one is a 1993 model and the other is a 1999 model. Even if the market improves, their value is already low.

Director Brown stated it was not mandatory to get rid of one or two dump trucks in order to purchase a new one.

Mr. Wagener suggested that AMAFCA could dispose of the 1993 truck, and consider keeping the 1999 truck a bit longer. Chairman Eichenberg suggested possibly giving the older truck to a smaller town rather than selling it.

In response to a comment from Director Lyon, Mr. Wagener estimated that the 1993 truck was probably worth about \$5,000, and the 1999 truck about \$8,000.

Director Brown suggested that Mr. Lovato and Mr. Wagener use their discretion to keep or get rid of the two trucks. Chairman Eichenberg stated he supported getting rid of the older truck at least, donating it if someone could use it, and would support Director Brown's suggestion. He requested that the Board be informed of the Executive Engineer's decision.

Consensus of the Board was to support including the tandem axle dump truck in the FY 2013 budget. Mr. Wagener stated that he would include this item in the Operating Fund Budget.

**c. FY-2013 Revenue Projections**

Mr. Lovato noted that Kevin Powers, of RBC Capital Markets, was in Santa Fe talking to Moody's, and was unable to attend the Board meeting. He noted that a late mailout had been



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 23**

emailed on Wednesday which included Mr. Powers' presentation of projected tax revenue, and a copy was in the Board's folders.

Mr. Lovato noted that, on page four of the presentation, there was a slight uptick in the tax collection rate for June 2011 versus June 2010. He stated that the Board's direction to estimate a 95% collection rate last year was a good decision, as the actual rate is just above 95.62%.

Ms. Jeffries noted that Mr. Powers recommended totaling the unprotested valuations and half the protested valuations, and using that amount as the projected assessed valuations for the 2012 tax year. A 95% collection rate and the current mill levy rates are assumed.

Mr. Lovato stated that the projected tax revenues in the draft budget were based on this value. The Board had no objection.

**d. Draft FY-2013 Operating Fund Budget**

Ms. Jeffries provided the Board with the first draft of the FY-2013 Operating Fund Budget. She stated that projected property tax revenue was computed using assessed valuations as recommended in the last agenda item, and the same mill levy rates with a zero growth factor. She had provided revised exhibits based on the most recent property tax revenue projections.

She stated that other Revenues were projected to be \$41,995, which included \$13,000 for the sale of equipment listed in agenda item 19b. This amount will be revised based upon input from the Board.

She commented that the cover page of the budget would be sent to the New Mexico Department of Finance and Administration (DFA) once the Board approves the budget in May. Transfers of \$100,000 to the Contingency Fund and \$50,000 to the Building and Yard Improvement Fund are proposed.

Ms. Jeffries noted that the comparison between FY 2012 and FY 2013 shows a reduction in the beginning balance of \$297,474.

Moving to the line items of the budget, she stated that under Salaries & Payroll Expenses, salaries are budgeted at current amounts with no COLA and an average of 2% for merit increases. Payroll expenses are computed as a percentage of salary amounts and are estimated to increase once the City has completed negotiations with the insurance providers.

Ms. Jeffries noted that no major changes were expected in the Office & Building Operating Expense category. Under Board, Elections & Governmental Affairs, a 60-day legislative session was budgeted for, and a line item was added anticipating the costs of public relations in connection with AMAFCA's 50<sup>th</sup> anniversary celebration.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 24**

Under Planning, Engineering, R & D, she commented that the line item for the USGS Cooperative Program increased to cover additional testing mandated by NMED and EPA. The Hydrology, Hydraulics & Tech Assistance line item was increased to allow for a temporary contract employee to assist the engineering staff.

She stated that the Project Operation & Maintenance category showed a decrease in the General Landscape Maintenance line item, as maintenance along the West I-40 Channel will be taken over by the City of Albuquerque. The Dam Surveys line item was also decreased because most of the jurisdictional dams have been surveyed in FY 2012.

Under Computer H/W & S/W Maintenance, she noted that GIS Web Hosting has been increased to include a complete year of cloud-based computer server including ARC GIS and web mapping. The New Telephone System line item was increased to investigate the possibility of replacing the current telephone system with a digital system.

She stated that the Equipment & Tools category had already been covered by Mr. Wagener. \$125,000 has been budgeted for the purchase of a new tandem axle 13 cy dump truck with rock bed.

She requested Board review and comment on the draft budget. The budget will be brought before the Board again in April, and will be approved by the Board at the May Board meeting, and adopted by resolution. It will be sent to DFA by June 1, 2012. She requested input from the Board on the Operating Fund budget.

In response to a question from Chairman Eichenberg, Mr. Lovato stated that the projected FY 2012 budget showed a small surplus, but not in the six figure range.

Mr. Lovato noted that he had met with the Personnel and Salary Committee and had incorporated their recommendations in the budget. He also stated that the Board had directed him to prepare a flat budget, and the FY 2013 budget is lower than the FY 2012 budget. He thanked staff for working hard to provide necessary services within the FY 2013 budget.

In response to a question from Director Thomson, Mr. Lovato stated that he had sent a letter to the Water Assembly about two weeks prior, as directed by the Board, but no response had been received yet. The Water Assembly had not met during that period so it might not be unusual that no response had been received to date.

**e. Draft FY-2013 Contingency Fund Budget**

Mr. Lovato provided the Board with the first draft of the FY-2013 Contingency Fund Budget. He stated revenues included \$100,000 transferred from the Operating Fund and interest revenue of \$11,492 based on 0.2% of the monthly balance in the LGIP fund. Expenditures include the normal estimate of \$400,000 for emergencies.





**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 25**

Mr. Lovato noted that AMAFCA did not need all of the \$50,000 which had been set aside for redistricting. This amount will not be transferred to the Operating Fund, as the costs of redistricting were absorbed into the Operating Fund budget. However, he will continue to set aside \$5,000/year to allow for the next redistricting effort.

He requested Board review and comment on the draft budget.

In response to a question from Chairman Eichenberg about the funds for compensated absences, Mr. Lovato noted that several employees are close to retirement or are currently eligible for retirement but have not yet retired, and have accumulated leave balances which become a liability when they retire. This line item is set aside to cover potential liabilities upon their retirement.

**f. Draft FY-2013 Construction Fund Budget**

Mr. Lovato provided the Board with the first draft of the FY-2013 Construction Fund Budget. He stated that the format had been changed slightly to focus more on AMAFCA-centric projects. The draft budget showed all projects with some kind of activity which were on the FY 2012 Project Schedule or were in the FY 2012 budget. As-bid or updated costs were added into the budget where available.

Mr. Lovato noted that the current project schedule will require AMAFCA to sell its remaining \$10 million bond by November 2012. The FY 2013 Construction Fund Budget includes two future bond sales of \$12.5 million, which will require a bond sale authorization election. The projects listed are to be built with AMAFCA money on AMAFCA property.

He stated that although the format had changed, proposed cost share projects with the City of Albuquerque and Bernalillo County were still possible. Projects could be removed from this list and replaced with something else if a higher priority project came along.

He commented that the new outfall at the Price's Dairy will save approximately 20-23% on other projects in the South Valley. AMAFCA will spend about \$1 million on the drainage easement for the outfall, and the overall cost of \$23 million on south valley projects will be reduced to about \$18.4 million or a bit less. AMAFCA is limited in the amount of water that could be passed on to the Isleta Pueblo, so large quantities of water were required to be stored throughout the valley. The Price's Dairy outfall will reduce storage needs in the south valley.

Mr. Lovato stated that the \$1 million will get AMAFCA a blanket easement over the entire property at first, so that water can be put anywhere. Once the improvements have been constructed, the easement will be changed to cover the area used for actual flood control facilities.



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 26**

He requested Board review and comment on the draft budget.

**20. AMAFCA 2012 Board Election Resolution – Review of Draft Resolution**

Mr. Lovato provided the Board with a draft 2012 Board of Directors Election Resolution, which had been reviewed by legal counsel. He noted that the resolution will be adopted at the April 26, 2012 Board meeting. Nominating petitions for Districts 3 and 4 will be due at AMAFCA by 5:00 p.m. on June 26, 2012.

There were no questions from the Board.

**21. Unfinished Business**

**a. Executive Engineer White Paper on Project Development**

Mr. Lovato stated that the lack of new construction projects being advertised in the third quarter of FY 2012 was directly related to the type of work the AMAFCA engineering staff was doing at the end of FY 2011. In the past year and a half, the AMAFCA engineering staff has been doing a lot of work on planning, flood fighting, and water quality. This extra work, which is now nearly complete, did not allow for full project development in the second quarter of FY 2012 which resulted in the lack of projects being advertised in the third quarter.

He noted that to achieve the goals being set by the Board will require an organizational modification to allow for better utilization of the engineering staff and provide higher quality products in a timely manner with better accountability. This change had been discussed with the Personnel and Salary Committee.

Mr. Lovato proposed that the FY 2013 budget include additional funding for a work-study position, contracted through the University of New Mexico. It would be filled by an engineering graduate student, reporting to AMAFCA. The primary duties would be to complete tasks associated with the project management as delegated by each AMAFCA Project Manager. The position would also assist in the inspection of completed projects, compile field data as needed for preliminary design, and conduct water quality field reviews.

He stated that the current FY 2012 Construction Budget has approximately \$7 million of construction projects to be started this year and to be completed this winter. The FY 2013 Construction Budget identifies over \$12.5 million to be spent by this time next year. To complete this work and focus on the AMAFCA mission will require project management, external quality assurance through tracking software, and transparency.

Mr. Lovato stated that the work-study position will allow Project Managers to concentrate on managing projects. AMAFCA has instituted the use of Microsoft Project to highlight areas of risk and opportunities for improvement as individual projects proceed. Staff will be able to



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2012**

**Page 27**

identify projects that may have lower priority that can be moved to allow a higher priority project to succeed.

In response to a question from Director Brown, Mr. Lovato stated the ideal candidate for the work-study position would be an engineering graduate student who already has a bachelor's degree and some related experience.

Director Thomson stated that the easiest solution would be to add this onto the Hydrology Modeling contract with UNM. He noted that one student immediately came to mind, and there were several others who would also be likely candidates for such a position.

**22. New Business**

Chairman Eichenberg introduced Jarvis Middleton, the new Deputy County Manager of Bernalillo County, and expressed the hope that he would attend other AMAFCA Board meetings as well.

Craig Hoover, of Bohannon Huston, Inc., stated that Board members and their spouses or guests were invited to sit at the Bohannon Huston, Inc. table for the upcoming April 6, 2012 banquet at which AMAFCA projects will receive awards, at 6:30p.m. at the Sandia Casino and Resort. Mr. Lovato noted that AMAFCA and Bohannon Huston, Inc., will receive an award for the East Amole Surge Pond, and AMAFCA and WH Pacific will receive an award for the South Diversion Channel Baffle Chute Water Quality Facility.

Mr. Lovato introduced Guylene Harris, AMAFCA's new Administrative Assistant. Chairman Eichenberg welcomed her to AMAFCA on behalf of the Board.

**23. Adjourn**

There being no further business to come before the Board, Chairman Eichenberg adjourned the meeting at 1:32 p.m.

---

Bruce M. Thomson, Secretary-Treasurer, 4/26/12

Recorded by Pamela Woodruff, Executive Administrative Assistant