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Regular Meeting Minutes
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1. Call to Order and Roll Call

Chairman Eichenberg called the Regular Board Meeting to order at 10:02 a.m. Thursday, May 24, 2012. Roll was noted as follows:

Directors present:	Chairman Tim Eichenberg Director Danny Hernandez Director Bruce M. Thomson Director Ronald D. Brown Director Daniel F. Lyon
Directors excused:	None
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

Director Hernandez stated he would like to move agenda item 11 off the consent agenda so that it could be discussed on the regular agenda. Chairman Eichenberg stated that the agenda would be so amended.

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

3. Meetings Scheduled

- a. Thursday, June 28, 2012, 10:00 a.m. – Regular Meeting
- b. Thursday, July 26, 2012, 10:00 a.m. – Regular Meeting
- c. Thursday, August 23, 2012, 10:00 a.m. – Regular Meeting

After discussion, the meeting schedule was revised as follows:

- a. **Thursday, June 28, 2012, 10:00 a.m. – Regular Meeting**
- b. **Tuesday, July 24, 2012, 10:00 a.m. – Regular Meeting**
- c. **Thursday, August 23, 2012, 10:00 a.m. – Regular Meeting**

Director Hernandez made a motion to accept the revised meeting schedule. Director Lyon seconded the motion, which passed unanimously (5-0).



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4. Items from the Floor/Public Comment

None.

5. Approval of Minutes

a. April 26, 2012 Regular Meeting

Director Hernandez made a motion to approve the minutes of the April 26, 2012 Regular Board Meeting. Director Brown seconded the motion, which passed unanimously (5-0).

6. Financial Matters

a. Approval of April 2012 Expenditures

Irene Jeffries, AMAFCA Finance and Administration Manager, presented the April 2012 Expenditure Report. In response to a question from Director Thomson, she stated that the journal entry regarding taxes represented the amount due to the Debt Service Fund. The entire amount of property taxes collected on behalf of AMAFCA is deposited to the Operating Fund. She then creates a journal entry to move the portion due to Debt Service to the Debt Service Fund.

Responding to a question from Director Lyon, Mr. Lovato stated that the Legislative Liaison's contract is a lump sum contract that provides for a higher payment the first few months of the year, and a lower monthly payment the remainder of the year.

Chairman Eichenberg requested that the one percent amount that the County Clerk withholds for collecting taxes on AMAFCA's behalf be listed on the Expenditure Report.

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

b. Investment Report for April 2012

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

c. Financial Recap April 16, 2012, through May 15, 2012

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



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d. Financial Forecast May 16, 2012, through June 15, 2012

Ms. Jeffries presented the Financial Forecast for the period May 16, 2012, through June 15, 2012. She noted that the recommended actions in the Operating Fund included two payroll payments to the City of Albuquerque, and the recommended actions in the Construction Fund included expected funds from the City of Albuquerque for their portion of the La Presa project, shown as income.

Ms. Jeffries requested Board approval of the forecast.

In response to a question from Chairman Eichenberg, Ms. Jeffries stated that the current total in the Local Government Investment Pool was \$25,750,410.00, as stated in the Investment Report. Agenda item 7b gave the breakdown by fund.

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

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.

Chairman Eichenberg noted that one of the items on the status report regarded the Calabacillas Arroyo Jurisdictional Determination, and asked for further information. Mr. Rael responded that, as this was pending litigation, it should be heard in a closed session. Chairman Eichenberg stated that discussion of a pending litigation matter 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 a pending litigation matter. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Eichenberg closed the meeting at 10:17 a.m.

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

Chairman Eichenberg reopened the meeting at 10:38 a.m.



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8. 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):** On May 4th, AMAFCA and Bernalillo County sent a letter to the Albuquerque District identifying outstanding items that needed to be addressed before the local sponsors could accept the project for maintenance. All three parties met on May 14 to discuss the pending issues on the Los Padillas Extension and the leaking gates on the Los Padillas Outfall to the Rio Grande. On May 15th, AMAFCA received a copy of a letter from the COE to the contractor, putting them on notice that the project was not constructed per the contract documents.

Calabacillas Arroyo: The COE Hearing Officer traveled to Albuquerque for the Jurisdictional Determination Appeal on May 2, 2012. AMAFCA staff, Attorney Rael, COE staff and the COE attorney met on the site and conducted the appeal. No additional information had been received.

- **City of Albuquerque (COA) – Boca Negra Dam:** The Boca Negra Dam was advertised for construction bids, but the due date was changed to June 14 when it was discovered that the chemical grouting soil treatment called for at the gas line pipes would be too expensive (about \$1 million rather than the \$30,000 called out in the engineer's estimate). AMAFCA is considering a change to an "old-fashioned" jetting technique and is testing the process on a section of pipe in another location, to be evaluated by New Mexico Gas Company staff.

Channel Road along North Diversion Channel: A 90% preliminary design along the east side of the North Diversion Channel has been reviewed by AMAFCA staff. The City of Albuquerque would like to have final designs approved by the end of May 2012. It is unknown at this time if the COE will have their review completed by that date.

Arno Pond: The COA is moving forward with appraisal of the Arno Pond site. In addition, COA staff are pursuing an engineering services contract to determine the cost to remediate the alleged manganese contamination.

- **EPA Administrative Orders to City of Albuquerque and Expo New Mexico:** The COA received a cease and desist administrative order (AO) concerning the acceptance of



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drainage from Expo New Mexico. On May 14, 2012, the small check dams erected by AMAFCA and the other MS4 permittees to intercept and detain drainage from the San Pedro storm drains were washed out in a rain event. They were replaced before the Board meeting. Neither Expo New Mexico nor the COA have sent correspondence to AMAFCA concerning the AOs since the last Board meeting.

- **EPA MS4 Permit – Four Party Agreement:** Staff is working on establishing a draft memorandum of understanding between the four co-permittees. This has been a slow process.

PCB Compliance: AMAFCA will send its program to EPA for approval by the end of the month. AMAFCA and the other co-permittees have been working with NMED and Region 6 of the EPA to determine the most cost-effective testing procedure.

Dissolved Oxygen: AMAFCA has complied with the new permit requirements concerning dissolved oxygen and has exceeded the permit expectations by completing the Embayment Project. The Dissolved Oxygen final report was sent to EPA last month.

- **Public Outreach – Hahn Arroyo Project:** Mr. Lovato was interviewed by two local television stations concerning complaints from local residents who live near the Hahn Arroyo Project. Those complaints have been resolved. On May 12, the Arts Board premiered a new video about the Hahn Arroyo. Copies had been provided to the Board. Mr. Lovato noted that, on June 6th, the City would find out if the artwork received recognition as the 2012 Public Art Network Year in Review Award, a national award. The project is one of the finalists. The Hahn Arroyo Project was also expected to be nominated for international recognition soon.

Director Hernandez noted that the Greater Albuquerque Recreational Trails Committee was trying to get the Hahn Arroyo to be a model for renovating other trails in the city.

- **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. This topic would be discussed further, later in the Board meeting.

In response to a question from Chairman Eichenberg regarding Expo New Mexico, Mr. Lovato stated that he is documenting the costs of the check dams and other measures taken, and will request compensation from Expo New Mexico to cover those costs. The City of Albuquerque



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has planned additional measures which would contain flows up to the 75 year event, but has not yet received permission to go on state property to make the modifications to the pond.

Responding to a question from Director Thomson, Mr. Lovato stated that he was not sure if mosquitoes and odors were addressed in the City's pond enlargement solution. Director Thomson commented that he knows this is an issue of concern to the neighborhoods nearby.

b. Notification of On-Call Services Task Orders

Mr. Lovato stated that three on-call task orders had been issued this month as described in his memo, and gave further information to the Board. There were no questions.

Consent Agenda

Chairman Eichenberg reminded the Board that agenda item 11 had been moved to the regular agenda, leaving agenda items 9 and 10 on the consent agenda.

9. On-Call Design/Bidability/Constructability – Consideration of Second Extension of Agreement

The memo from Kurt Wagener, AMAFCA Field Engineer, stated that six agreements for On-Call Design, Bidability and Constructability Reviews were approved by the Board at the May 27, 2010 Board meeting. The agreements, with Salls Brothers Construction, RMCI, Inc., AUI, Inc., NM Underground, TLC Plumbing & Utility, and Mountain States Constructors, are due for their second extensions. All agreed to extend the contracts, and provided signed AMAFCA Campaign Contribution Disclosure forms. The memo gave a summary of the task assignments to each contractor, and requested that the Board authorize the Executive Engineer to extend each of the agreements for another year.

10. AMAFCA Miscellaneous Construction Projects 2012 – Award of Contract to Low Bidder

The memo from Kevin Troutman, GIS Manager, stated that four contractors submitted bids for the AMAFCA Miscellaneous Construction Projects 2012. AECOM, Inc. tabulated the bids and no errors were found. AECOM and AMAFCA staff recommended the contract be awarded to Star Paving Company. A copy of the signed AMAFCA Campaign Contribution Disclosure form was attached to the memo. The memo requested that the Board accept Star Paving as the lowest responsible bidder, award the contract to them, and authorize the Chairman and Secretary/Treasurer to execute the contract in the amount of \$258,650.00 plus New Mexico Gross Receipts Tax.



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There being no further items on the Consent Agenda, and there being no questions, Director Lyon made a motion that the Board take action on consent agenda items 9-10, as follows:

- Authorize the Executive Engineer to extend each of the above listed Design, Bidability and Constructability Agreements for a second one-year extension as per the provisions of the agreements; and
- Accept Star Paving Company as the lowest responsible bidder and authorize the Chairman and Secretary/Treasurer to execute the contract for the construction of Miscellaneous AMAFCA Construction Projects 2012 in the amount of \$258,650.00 plus New Mexico Gross Receipts Tax.

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

Regular Agenda

11. UNM Hydraulic Modeling Agreement – Approval of FY-13 Agreement

Director Thomson stated that he would abstain from voting on this item to avoid any perceived appearance of conflict of interest.

Mr. Lovato introduced Dr. Julie Coonrod, who was in attendance. He stated that this would be the 24th year that AMAFCA has collaborated with the University of New Mexico (UNM) on open channel hydrology modeling. In addition to the normal \$50,000 of modeling, this year's contract includes \$30,000 for an additional person to assist AMAFCA staff. Both are in the FY 13 budget. The graduate student intern will help AMAFCA with project management, and will be a UNM employee on contract with AMAFCA.

In response to a question from Director Hernandez about the most recent model, Dr. Coonrod stated that, due to its size and shape, it was not built on the tilt-table but shimmed on temporary tables, and it was difficult to control the grade. UNM is bringing in survey equipment to correct the grade and re-run the model.

The Board discussed the intern's employment status and who the student would report to. Director Thomson noted that last year, he had a similar student who was a UNM employee working at Sandia Laboratories. His supervisor was at Sandia, and he was paid through UNM.

After further Board discussion, Chairman Eichenberg stated that Mr. Lovato and Dr. Coonrod could work out the details of the lines of communication and supervisory responsibilities concerning the UNM intern, so that he/she remains a graduate student employee of UNM.



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Director Hernandez made a motion that the Board approve the UNM Open Channel Modeling proposal for Year 24, not to exceed \$80,000.00, and that the Executive Engineer be authorized to execute the necessary proposal acceptance forms from UNM. Director Brown seconded the motion, which passed (4-0). Director Thomson abstained from voting.

12. Albuquerque Balloon Fiesta

a. Balloon Fiesta Park Master Plan

Brad Bingham, AMAFCA Drainage Engineer, introduced Lee Gamelsky from Lee Gamelsky Architects, and Sandy Zuschlag from the City of Albuquerque Parks and Recreation Department.

Mr. Bingham stated that the Balloon Fiesta Park Master Plan had changed since the February Board meeting, based on comments from the AMAFCA Board, various City departments, neighborhood leaders, and special interest groups. The proposed revisions to the updated master plan that affect AMAFCA are:

- The Incident Command Center has been moved to the east. A bridge over the North Diversion Channel is still proposed to allow public safety personnel better access to Edith.
- The restrooms proposed for the west side of the field will now be incorporated into an outdoor stage structure and have been moved onto park grounds. Utilities may need to be installed in the maintenance road.
- The Large Venue Amphitheater has been moved to the east. Construction will still necessitate realigning the Camino Arroyo.
- The Tribute Area just north of the Balloon Museum will require a new crossing structure and box culvert for the La Cueva Arroyo.
- An alternate alignment for the Camino Arroyo and Inlet.
- Pilot Road (existing maintenance road) will be on one of two alternate realignments.

He stated that as each specific project affecting AMAFCA is becoming closer to reality, a license or other agreement will be requested from the Board.

In response to a question from Director Hernandez, he stated that the City of Albuquerque will pay for these improvements. The City may ask AMAFCA to partner on a water quality feature in the Camino Arroyo.

Responding to a question from Director Lyon, Mr. Bingham noted that the west side restrooms have been moved off of AMAFCA property.

Mr. Gamelsky stated that the master plan would be completed by the end of June, for approval by September. He further described some of the major elements. He stated that the Large



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Venue Amphitheater will have a stage facing the seating area, and a Jumbotron facing the field area. The seating capacity of the seating area will be similar to that of the Pavilion. The north-facing stage alignment will direct concert sounds away from the valley.

Ms. Zuschlag noted that the Tribute Area will be the first portion of the updated Master Plan to be constructed. She stated that the City hopes to submit a request regarding the changes for the Tribute Area to the Board at the June meeting. She expressed appreciation to AMAFCA for fill material from the North Diversion Channel Outfall which was being used to fill in the area where the Tribute Area will be constructed. A portion of the Tribute Area will be completed before the next Albuquerque International Balloon Fiesta in October.

In response to a question from Director Brown, Ms. Zuschlag noted that no ball fields were currently planned for the Balloon Fiesta Park, but the City is planning to add them to other areas. She mentioned a planned facility on 118th St. NW, next to the new Albuquerque Public Schools stadium site, and ball field renovations planned for the Los Altos Park.

Director Hernandez praised the interagency cooperation which allows the City to obtain fill dirt from AMAFCA for this project. Ms. Zuschlag commented that, with only \$500,000 to develop this park, every cost-saving measure possible is appreciated. She stated that AMAFCA will be invited to the groundbreaking for the Tribute Area.

No Board action was required.

b. Balloon Fiesta License Agreement

Director Hernandez made a motion that the Board authorize the Chairman to execute the 2012 Balloon Fiesta License substantially the same as attached to the memo. Director Brown seconded the motion.

Loren Hines, AMAFCA Real Estate Manager, stated that the license had been approved by City and AMAFCA legal counsel. If approved by the Board, the City will begin obtaining signatures right away.

The motion passed unanimously (5-0).

13. AMAFCA Joint Project with City of Albuquerque, Jefferson Storm Drain – Consideration of Cost Share Agreement for Construction

Mr. Bingham introduced Roland Penttila of the City of Albuquerque.

Mr. Bingham described the Jefferson Storm Drain, which will remove flooding from Jefferson Boulevard south of Osuna Boulevard, and direct it to the storm drain in Osuna. The City of Albuquerque will complete the design and construction, and will maintain the facility. He



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briefly discussed the project and its history. The City anticipates construction to begin the latter part of October, and to last about three months.

The Board discussed the project and AMAFCA's \$350,000 contribution. Director Hernandez commented that this is a project that is ready to build. Director Brown noted that the area has a significant drainage issue.

Mr. Lovato noted that the project removes water that is an issue along Jefferson, and that water quality features are incorporated into the design. AMAFCA requested that the project be extended further to the south to intercept problem flows from the east.

Board consensus was to proceed with the draft cost share agreement.

14. Albuquerque Public Schools Joint Project – Amole Dam Outfall – Consideration of Cost Share Agreement for Construction

Mr. Lovato stated that the Board had previously approved this agreement, but Albuquerque Public Schools (APS) had decided to delay the project. This project is now being brought back to the Board as an important project that provides an outfall to the Isleta Drain. It greatly reduces the cost of taking the outfall from the Amole Dam to the river. APS is also providing some of its property for a regional pond, which further reduces the costs.

Mr. Bingham stated that the original cost of the outfall was estimated at \$8 million. The use of the APS property to increase the size of the regional detention pond allows AMAFCA to drain the Amole Dam into the Isleta Drain. This eliminates the need to place a new gravity outlet along Barcelona Road to the Rio Grande, a project estimated in 2009 to cost \$1,600,000. This project is estimated to cost \$600,000, of which AMAFCA's portion would be \$300,000. He stated that APS has agreed to maintain the surface of the multi-use regional pond. AMAFCA would have structural maintenance of the pond.

Director Brown praised the value engineering that had reduced the project cost from \$8 million to only \$600,000.

Director Brown made a motion that the Board approve the *Agreement for Construction and Construction Engineering Services for Drainage Improvements Required by the Southwest Valley Flood Reduction Project at Navajo Elementary School* with Albuquerque Public Schools. Director Hernandez seconded the motion.

Attorney Rael stated he had reviewed the agreement. Director Hernandez stated that the project would remove a lot of people from floodplain. Marty Eckert, APS Real Estate Director, thanked the Board for working with APS again to build a project that benefits the community.

The motion passed unanimously (5-0).



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15. AMAFCA Joint Projects

a. Sanchez Farms Tributary Storm Drains – Goff Road Agreement for Design and Construction of Regional Facilities

Lynn Mazur, AMAFCA Development Review Engineer, stated that since the presentation at the April Board meeting, this project had changed to a Bernalillo County-led project with AMAFCA contributing funding due to the tight schedule. The County plans to advertise a Request for Proposals (RFP) for the Goff Road project design in August 2012 and to begin construction in early 2013. It is more cost-effective to use one design consultant for both the roadway and drainage designs. Originally, AMAFCA was to provide the drainage design to the County.

She noted that AMAFCA's engineering consultant, Thompson Engineering, had developed the original conceptual design. They identified about \$6 million in drainage infrastructure in this area. They had submitted a proposal to AMAFCA to proceed with Phase II, which consisted of preliminary and final design for \$350,000, and an addition \$150,000 for Conditional Letters of Map Revision (CLOMRs) and Letters of Map Revision (LOMRs) to remove floodplain from the project area.

Ms. Mazur stated that staff recommends that Bernalillo County take over Phase II and include the drainage design of the project in their RFP. AMAFCA will retain the LOMR/CLOMR portion of the contract. In the draft agreement, the County will design and construct the project. AMAFCA will contribute \$350,000 toward design and \$1 million toward construction of the drainage infrastructure. The County will cover any additional costs above and beyond the AMAFCA lump sum contributions. The draft agreement was undergoing review by County engineering and legal staff, and AMAFCA's attorney.

In response to a question from Chairman Eichenberg, Roger Paul, of Bernalillo County Public Works, stated that the total cost of the Goff Road project is about \$5.5 million to \$6.5 million, including the cost of the property needed for ponding purposes. Drainage is about 40% of the cost of the project including curb and gutter.

Responding to a question from Director Lyon, Mr. Paul stated that AMAFCA's \$350,000 contribution toward the design of regional flood control facilities identified in Phase I and \$1 million toward the construction of regional flood control infrastructure would be about half of the drainage costs.

Mr. Paul stated that they anticipated design would begin in the fall, with construction to occur in the summer of 2013.



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In response to a question from Chairman Eichenberg, Dave Thompson of Thompson Engineering, AMAFCA's consultant on this project, stated that the estimated cost of drainage infrastructure during their study was \$6 million including laterals, but this may be just a portion of the entire project.

Mr. Paul stated that this phase was for just the work in Goff Road, although they will stub out for additional storm drain lateral lines to be added later.

Mr. Lovato gave further information on the project, stating that it would intercept water coming from north of Bridge Street. It will provide drainage all along Goff Road and will provide a connection to the Sanchez Farm pump station. The part of the project along Sunset is not included in this project; it will be a later project. The approximately \$6 million cost mentioned is for drainage only; it doesn't include roadway expenses, which will be paid fully by the County. The County will advertise the RFP in about August, 2012.

Responding to a question from Chairman Eichenberg about the costs to AMAFCA (\$350,000 for design, \$1 million for construction, and about \$150,000 for a LOMR/CLOMR), Mr. Lovato stated that these costs were reasonable.

Ms. Mazur noted that, for the \$1.5 million AMAFCA investment, several areas of existing floodplain will be removed.

Consensus of the Board was support of the agreement.

Chairman Eichenberg called a recess at 11:37 a.m. The meeting resumed at 11:49 a.m.

16. Pino Dam – Separation of Dr. Galbreth and AMAFCA Dam Safety Projects

Mr. Lovato stated that he proposed separating the two dam safety issues at the Pino Dam. He explained what the issues were, and then presented the reasons why he made the recommendation to separate them.

He stated that AMAFCA does not own the land the Pino Dam sits on, but has an easement for the embankment area and a drainage easement for the emergency spillway. The spillway is private open space (the golf course). In November 2006, Dr. William Galbreth, the underlying fee owner of the property in the emergency spillway area, proposed building several house pads that would encroach into the emergency spillway. After analysis by Bohannon Huston, Inc. (BHI), review by AMAFCA, and preliminary review by the New Mexico Office of the State Engineer Dam Safety Bureau (NMOSEDSB), the project was deemed technically feasible.

Mr. Lovato noted that AMAFCA entered into a turnkey agreement with Dr. Galbreth in June 2007 to allow him to construct the house pads within the AMAFCA drainage easement and any



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structures necessary to ensure the emergency spillway functions as designed. This agreement was extended at the March 2011 Board meeting.

Mr. Lovato stated that Dr. Galbreth has complied with all the requests for information, calculations, and design changes requested by the NMOSEDSB. The dam spillway modifications proposed by Dr. Galbreth would take care of an existing erosion issue that could lead to failure of the dam, including the erosion that would result from a six hour Probable Maximum Precipitation (PMP) storm. This required a cutoff wall to be installed to a depth of 30 feet at the top of the spillway.

He stated that in February 2011, the NMOSEDSB requested another analysis using a 72 hour PMP storm event. The dam would fail under these conditions in both its current state and with the modifications proposed by Dr. Galbreth. The area upstream of the dam has not developed as fully as anticipated, so the water level for the 100 year storm is very low in the dam pool, meaning there is a lot of excess capacity.

Mr. Lovato noted that he had authorized BHI to verify Dr. Galbreth's results using a two dimensional finite element program developed by the USDA to identify erosion in soils. The results were confirmed and were presented to the Board in November 2011. The NMOSEDSB has requested a plan to address the dam safety issue in the 72 hour PMP storm event, but AMAFCA has not yet started to address this request.

Director Hernandez noted that Dr. Galbreth did not owe a duty to those downstream to protect them from floodwaters in the same way that AMAFCA does. Dr. Galbreth could decide not to do his project, and AMAFCA would still need to take care of both the 6 hour PMP and the 72 hour PMP events. Mr. Lovato stated that it would be likely to take two years to study and design a solution for the 72 hour PMP issue, and get it through NMOSEDSB approval.

Mr. Lovato requested that the Board consider separating the two issues, allowing Dr. Galbreth to move forward with his project which will address the 6 hour PMP failure and allow AMAFCA to move forward with developing a solution to address the 72 hour PMP event. He noted that Dr. Galbreth owns only a small portion of the dam property, and has limited space in which to make modifications. Mr. Hines has been gathering information concerning the easement the dam is built on and the open space easement that surrounds the dam embankment, to determine what work if any can be done on the golf course.

Mr. Lovato noted that alternatives to address the 72 hour PMP, including a new or second emergency spillway, may be cheaper than solutions that are confined to Dr. Galbreth's property. Dr. Galbreth will give AMAFCA an additional access point at the north end of the dam. Currently the only access is at the south end.



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Responding to questions from Chairman Eichenberg, Mr. Lovato stated that the dam met all standard design parameters at the time it was built, but standards have changed. He also noted that the 6 hour PMP event was approximately 17 inches of rain in a 6 hour period.

In response to a question from Director Hernandez about the golf course's responsibility, Mr. Lovato stated that in his research, he was unable to find anything stating that the golf course would be responsible for modifications when design standards change. Director Brown stated that the current owner of the golf course did not build the dam; the dam had already been built when they purchased the golf course.

Director Thomson summarized Mr. Lovato's request to allow Dr. Galbreth to deal with the 6 hour PMP event by building the wall and proceeding with his development, and then AMAFCA would deal with the 72 hour PMP event in a couple of years. Mr. Lovato confirmed that this was correct.

Dr. Galbreth introduced himself, and stated that he had spent over \$300,000 so far on studies and design changes requested by NMOSEDSB. The 30 foot wall will basically armor the spillway. The armored spillway will protect the dam in the 6 hour PMP event, and allows development to occur in the emergency spillway area. He also noted that any of the dams in the Albuquerque area would probably fail in the 72 hour PMP event.

Dr. Galbreth added that the concrete retaining wall berm will make the dam safer, and prevent erosion in the 6 hour storm event. The whole north side of the dam will be concrete, not dirt, which will be much safer. He also opined that the NMOSEDSB would probably be more likely to approve his project if they received assurances from AMAFCA that AMAFCA will address the 72 hour PMP event.

Craig Hoover, of Bohannon Huston, stated that the dam holds approximately 300-350 acre-feet. The 72 hour PMP event would result in a volume of water many magnitudes greater than the capacity of the dam. There is insufficient undeveloped property in the area to enlarge the dam sufficient to hold the 72 hour PMP event. However, the dam has significant excess storage for the 100 year event. This allows more possible solutions to be considered, such as a second emergency spillway, which would reduce the amount of time water is on the unlined spillway, and would be the most cost-effective and hydraulically efficient solution.

Director Thomson stated that he wanted to be certain that any action the Board takes now would not adversely affect the ability to address the 72 hour PMP event. He also noted that the dam was not designed to hold the water from an extremely large storm like that for 72 hours. Mr. Lovato stated that there would probably be a shallow failure long before the dam filled sufficiently for a major failure, if rain was received at that level for 72 hours.



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Dr. Galbreth noted that if there ever were a 72 hour PMP storm in Albuquerque, there would be many problems throughout the city. Pino Dam would be just one issue among many. Two emergency spillways, with the northern one armored, was probably the best solution.

Mr. Hoover stated that they had met with NMOSEDSB multiple times. To allow Dr. Galbreth's project to continue, the NMOSEDSB will need a commitment from AMAFCA that they will address the 72 hour PMP event failure.

Director Brown noted that, primarily, AMAFCA designs its dams to deal with the 100 year event, approximately 3.2 inches of rain in six hours. None of AMAFCA's dams or other drainage facilities would hold a 72 hour event of nearly 17 inches of rain in three days. He asked if all of AMAFCA's dams would be held to this standard. Mr. Lovato stated that it was his understanding that this was the case. Director Brown stated that not even the North Diversion Channel could hold that amount of water. He opined that AMAFCA has a bigger threshold issue with regards to the NMOSEDSB than just the Pino Dam.

Chairman Eichenberg pointed out that addressing even the six hour event in this case could set a precedent for all the rest of AMAFCA's dams.

Responding to a question from Director Brown about the 17 inch standard, Mr. Lovato stated that it came from HMR 55A from the Corps of Engineers and the National Oceanic and Atmospheric Administration (NOAA). Director Thomson stated that this storm is based on a post-hurricane storm in Roswell in the 1940s. Mr. Lovato noted that the agencies can't reproduce the data that was used to develop this standard storm.

Director Brown stated that this intense, localized storm is apparently then magnified to cover the entire Albuquerque area. He asked who set this standard.

Mr. Lovato stated that it is a requirement of the NMOSEDSB, who in turn follows the requirements of the Federal Emergency Management Agency (FEMA). FEMA standards for dams make sense for large dams, such as Hoover Dam, which always hold water. Flood control dams are different, and don't hold that much water, nor do they hold it for long.

Director Thomson opined that conditions are different here than in the northeast where the regulations are developed, but it could take a decade to resolve this issue with NMOSEDSB and FEMA, and AMAFCA needed to help Dr. Galbreth now. Director Hernandez agreed, stating that AMAFCA needed to help Dr. Galbreth move his project forward, and expressing concern that AMAFCA might have to do modifications to handle the 72 hour PMP event for every one of the dams it owns and operates.

Mr. Lovato requested that the Board approve separating the two issues so that Dr. Galbreth would address the 6 hour PMP storm event, and AMAFCA would address the 72 hour PMP



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storm event. AMAFCA would put the project in the project schedule and start the design. He noted that Dr. Galbreth's project would protect the dam up to the 6 hour PMP event.

Responding to a question from Chairman Eichenberg, Mr. Lovato stated that AMAFCA could not simply do nothing; AMAFCA would have to address both the 6 hour and 72 hour PMP events if Dr. Galbreth's project does not move forward. He opined it was better to work with Dr. Galbreth so that he does some of the modifications.

Dr. Galbreth stated that he has paid for and will be paying for some of the work that AMAFCA would otherwise need to do to address these storm events. He also pointed out that a 6 hour PMP event was much more likely than a 72 hour PMP event, and that his project would resolve the issue with the 6 hour PMP event.

In response to another question from Chairman Eichenberg, Mr. Hines stated that the regulations surrounding the private open space basically eliminate any redevelopment unless the lands are incorporated into adjacent properties. Director Brown added that the private open space met the density/open space criteria of the sector plan at that time the golf course and surrounding neighborhood was developed.

Director Thomson stated that he supported splitting the projects, and suggested that AMAFCA consider sending the NMOSEDSB a letter stating that AMAFCA will investigate options to address the 72 hour PMP event, to include possible administrative actions and structural actions.

Responding to a question from Director Lyon, Mr. Lovato stated that a project to address the 72 hour PMP event could be very expensive. Director Brown noted that there were too many potential alternatives to estimate a cost at this time.

Chairman Eichenberg noted that so far, Dr. Galbreth has paid all the expenses to address the 6 hour PMP event. He pointed out that usually AMAFCA splits the costs of drainage improvements with the developer.

Director Hernandez commented that usually the developers contribute to the additional flow of water, and thus the project costs are split. That isn't the situation in this case. Trying to protect against the 6 hour PMP and 72 hour PMP are beyond reasonable, but the measures proposed to protect the dam against erosion in the 6 hour PMP event would protect the dam in smaller, more realistic storms as well. He stated that if AMAFCA agrees to let him build the improvements, AMAFCA should contribute to them to some degree.

Chairman Eichenberg stated he was comfortable with a contribution towards the modifications. He noted AMAFCA wants to control the design elements and options. If AMAFCA has even a small amount of money in the project, they would have more control. He also stated that the precedent aspect of the issue was very problematic.



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After further discussion, the consensus of the Board was support of the proposal to split the two projects and allow Dr. Galbreth to continue with his project.

Director Thomson stated that in any communication with NMOSEDSB, AMAFCA should emphasize its willingness to investigate the administrative requirement. Director Brown agreed with this statement.

17. Amole Hubbell Drainage Management Plan 2012 Update – Existing Conditions Report

Using an overview map, Mr. Bingham briefly described the five problem areas uncovered in the Amole Hubbell Drainage Management Plan 2012 Update (DMP Update).

Mr. Bingham stated that Phase I of the Amole Hubbell Drainage Management Plan Update, which summarizes 80 earlier plans, also found the following:

- The City's North/South Pond still needs to be built.
- Unser/Arenal Pond (City) is not adequately sized for all runoff entering the pond.
- Snow Vista Channel (AMAFCA) has a freeboard and capacity deficiency at Benavides Road.
- Temporary sediment ponds built in the last ten years have essentially silted up and have reduced capacity, and therefore need to be cleaned out and regraded.
- The Guac Dam will still need to be built as a companion to the Amole Dam.
- Secate Blanco Channel may be declared surplus since most of the western half of the basin has been diverted.

Mr. Lovato briefly stated that the DMP Update put everyone on notice of what the problem areas are, and what needs to be done to correct those problem areas. Most of the 80 earlier reports dealt with specific developments.

Mr. Bingham introduced Robert Fierro, of Wilson and Company, who read and compiled the information in the previous reports.

In response to a question from Chairman Eichenberg about the silt-filled ponds, Mr. Fierro stated that some of the ponds were not being maintained by the developers. Also, the City and County did not fully review some of the ponds when the development was going in, and they were not designed with adequate capacity.

Chairman Eichenberg called a recess at 12:46 p.m. The meeting resumed at 12:51 p.m.



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18. 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 showed some short videos of the Hahn Arroyo water quality structure in action, answering several questions from the Board. The Board was provided with a DVD copy of the latest documentary film about the Hahn Arroyo Rehabilitation Project.

In response to a question from Director Thomson, Mr. Lovato stated that at another location on the Hahn Arroyo, just west of San Mateo, there appeared to be another piece of property that would be a likely spot for another water quality feature of some sort. Another structure like the one built on the Hahn Arroyo last year might be put on the La Cueva Arroyo, upstream of the Balloon Fiesta Park. The structure works even better than he had anticipated, and he would like to see others built. At \$100,000, the structure isn't cheap, but it is very good at collecting debris from storm water, allows for self-rescue of those caught in floodwaters, and is expected to last 25-50 years, so it is worth the expense in his opinion.

19. Real Estate

a. Proposed PNM Easement at Boca Negra Dam

Mr. Lovato introduced Camille Lovato and Fernando Vigil of PNM.

Mr. Hines stated that the redesign of the Boca Negra Dam had changed the easement requirements for the PNM lines related to the Scenic Substation. The current easement would place feeder lines in the area designated as "foundation treatment" for the dam, which would require going back to the State Engineer for approval. Instead, PNM has proposed exchanging easements to avoid this area. They would release the "utility" portion of their existing easement, retaining the "access" portion. In return, AMAFCA would grant a new Electric Utility Easement to PNM. This would allow them to take up to eight feeder lines out of the substation to serve their service area without having to go through the foundation treatment area of the dam. This will clear up an oversight at the time of the re-plat of the properties.

He stated that staff recommended granting the easement to be recorded simultaneously with an Easement Encroachment Agreement for the new easement and the substation, substantially the same as the previous one dated July 26, 2011, and a vacation of the utility portion of the old easement.



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In response to a question from Director Lyon, Mr. Hines stated that AMAFCA has a reciprocal agreement with PNM allowing both parties to do maintenance. Mr. Lovato stated that the reciprocal agreement was a requirement of the Office of the State Engineer. Director Lyon stated that if there was a permanent easement on the land and they vacated it, the only way to get the easement removed was via a quiet title action. If it was for a renewable term it could be renewed as long as it was still in use, but not renewed if it is no longer used. In that case, it would not encumber the property. He also expressed the need for mutual hold harmless clauses and perhaps a relocation clause. He also wondered if AMAFCA charged a fee to PNM, because they charged a fee for co-location of telephone and cable service lines on their poles.

Director Brown made a motion that the Board authorize the preparation of an agreement and for the Chairman to execute an agreement granting a new electric utility easement at Boca Negra Dam and authorize the Executive Engineer to execute an Easement Encroachment Agreement for that same easement, after approval as to form by Attorney Rael. Director Lyon seconded the motion.

Mr. Hines stated that the easement and the reciprocal encroachment agreement could be brought back to the Board for their approval before signing, because he didn't have them yet. He wanted authorization to move forward with preparing the easements and the reciprocal agreement.

Chairman Eichenberg requested that the easement and agreement should be reviewed and approved by Attorney Rael before signatures are obtained. He requested that Director Lyon's concerns be addressed in the agreement.

Mr. Hines stated that all these issues, including what the parties are allowed to do, can be addressed in the reciprocal encroachment agreement.

Fernando Vigil briefly spoke to the Board, addressing the Board's concerns. He stated that PNM had relocated an existing PNM line for the dam at their expense. In response to a question from Chairman Eichenberg about the appearance of the substation, Camille Lovato stated that it would be surrounded by an articulated split block wall, similar to those in the neighborhood.

The motion passed unanimously (5-0).

Chairman Eichenberg stated that this would avoid needing to bring the same issue back before the Board again, noting that he would wait for Attorney Rael's approval before executing the documents.

b. Proposed New Mexico Game and Fish Parking License

Mr. Hines introduced Brian Gleadle, of the New Mexico Game and Fish Department (NMGF).



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Mr. Hines stated that the request was for authorization for the Executive Engineer to execute a license to NMGF.

He noted that the proposed license would allow NMGF to utilize the AMAFCA right of way at the Bear Arroyo Inlet to the North Diversion Channel for additional parking at their Albuquerque office. The license is directly with NMGF and expires on August 31, 2015, as that is the expiration date of the current NMGF lease for its office. There is an option to renew for an additional period coinciding with a new lease at this location. It has been reviewed by legal. Either party may terminate the license with 90 days notice. AMAFCA will not require NMGF to remove the parking area and fencing upon expiration or termination of the lease, as it may have value to AMAFCA as a future staging area.

Mr. Gleadle thanked the Board for considering the parking license, as it would help them with the crowded conditions at their current location.

The Board expressed approval of the license, noting the flexibility the license creates. Mr. Hines noted that no fees were charged for the license, as it is to another government entity.

Director Lyon made a motion that the Board authorize the Executive Engineer to execute the License Agreement with the State of New Mexico Game and Fish Department, as attached to the memo. Director Hernandez seconded the motion, which passed unanimously (5-0).

c. Urban Wildlife Refuge – Update

Ms. Mazur updated the Board on the status of the Urban Wildlife Refuge at the former Price's Dairy property. She stated that the appraisal has been given to the owners and signs looked positive. Confirmation of acceptance of the offer was expected in another week. At a coordination meeting among the partners, part of the discussion regarding the blanket drainage easement covered expanding it in the future as more property is acquired. This would be done via an agreement between AMAFCA, the Trust for Public Lands (TPL) and the U.S. Fish and Wildlife Service (USFWS). This agreement was discussed further in agenda item 19d.

She further discussed the proposed AMAFCA drainage project and the oxbow. She used a rendering to show the flow pattern from large storm events such as the 100 year event. Smaller events would have narrower meanders or no flow at all through the Refuge. USFWS said this concept will meet their need for the oxbow area and will allow them to recreate grassland areas and wildlife habitat in the Refuge.

Ms. Mazur noted that water quality features include debris catchers and bioponds which will treat water from the Barr Drain and water from east of Second Street before it enters the oxbow's wildlife habitat area. As a wide open area, the oxbow will save a considerable amount of money during construction.



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She stated that the project cost for outfalls to the river to serve the facilities presented in the Southeast Valley Drainage and Stormwater Quality Management Plan (SEVDWSQMP) without the oxbow would run about \$9.9 million, including property acquisition and construction. With the oxbow, the cost will be about \$3.6 million, saving AMAFCA \$5.3 million.

Mr. Lovato added additional information that the \$9.9 million SEVDSWQMP project shown at the meeting included a new river outfall south of the Price's Dairy area, and did not include several upstream ponds, one of which needed a pump to get the water to the river. The revised design shown at the meeting made those improvements unnecessary thereby saving AMAFCA money.

Ms. Mazur also noted that in addition to the reduction in the number of ponds needed, property to be acquired, and no need for a pump station at Pond H, AMAFCA may be able to excavate about three feet in the Bosque. This would allow the entire project to drain by gravity.

Mr. Lovato noted that AMAFCA staff is working with the New Mexico Land Office to gain access to 100 acres in the Bosque.

Mr. Lovato also noted that the \$1 million contribution towards acquisition of Price's Dairy was based on the original design and saved AMAFCA money in reduced construction costs along the Barr Drain. The redesign of the Project using the new oxbow outfall reduces AMAFCA costs an additional \$5.3 million, as long as AMAFCA can obtain a drainage easement on the property.

In response to a question from Director Thomson, Ms. Mazur stated that in the 1930s, a natural oxbow occurred at this location. U.S. Fish and Wildlife Service (USFWS) had an aerial photograph showing this feature, and came up with the idea of recreating that feature.

d. Draft Agreement with the Trust for Public Lands

Mr. Lovato gave the Board an update on the Agreement with the Trust for Public Lands (TPL) and the U.S. Fish and Wildlife Service (USFWS). Staff was unable to recommend the first draft of the agreement from the USFWS due to a number of issues.

He stated that USFWS had modified the draft agreement in the past week to address AMAFCA concerns. The major revisions to the draft agreement were:

- Added "Whereas" to help define the easements being granted and why;
- Defined "Temporary Easement" and "Permanent Easement";
- Added verbiage concerning purchasing the land in phases;
- Modified terms and conditions to be reciprocal concerning design and construction;



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- AMAFCA does not need to get permission from USFWS first to build, operate, maintain, or repair the flood control facilities on the property;
- Revised Exhibit C, the permanent drainage easement, to allow egress over USFWS land for access, and access to Second Street; and
- Added Exhibit D, "As-Builts," to define the permanent easement.

Mr. Lovato stated that staff intends to have the draft agreement at the next Board meeting for approval as long as the conditions associated with the easement allow AMAFCA to construct and maintain the flood control facilities as normal AMAFCA facilities.

Director Lyon reported that he and Mr. Lovato had reviewed the draft agreement, and he had provided comments to Mr. Lovato. The original agreement had a number of issues with it that were not advantageous to AMAFCA. He read a few of the problem paragraphs to the Board, and stated that the draft agreement sent to Bernalillo County had similar issues.

Roger Paul, of Bernalillo County, reported that their agreement didn't address the drainage easement but only mentioned their conservation easement, so that changes will be necessary in that agreement as well.

Director Lyon thanked the Chairman and Mr. Lovato for the opportunity to review the draft agreement early, to catch many of these things before it got as far as the Board.

Chairman Eichenberg directed staff to continue working on the easement.

20. AMAFCA FY 2013 Budget

a. FY-2013 Operating Fund Budget

Ms. Jeffries provided the Board with the FY-2013 Operating Fund Budget. She noted that she had updated expenditures through April 30, 2012, and there were no other changes to the budget. The cover page (Exhibit A) would be submitted to the State of New Mexico's Department of Finance and Administration (DFA), along with the budget resolution, by the June 1, 2012 deadline.

She stated that projected property tax revenue was computed using assessed valuations with a zero growth factor, and including half of the protested valuations. The budget shows a \$310,340 drawdown of the beginning balance. Valuations were based on the latest abstract available from the County Clerk, dated August 2011.

Ms. Jeffries stated that Exhibit B was a summary of the budget and shows a comparison between FY 12 and FY 13. Exhibit C was the line-item budget. She requested that the Board approve the FY 2013 Operating Fund Budget for submittal to the DFA by June 1, 2012.



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In response to a question from Director Thomson about property taxes, Chairman Eichenberg noted that if the land was acquired after January 1, AMAFCA is responsible for 2012 property taxes. Mr. Lovato noted that the taxes for any lands so acquired would be covered in a mid-year budget adjustment, as needed.

Chairman Eichenberg stated that the County Assessor had sent out valuation notices, all real property protests were due by March 31, 2012, and centrally assessed properties protests were due by April 30, 2012. He directed staff to verify valuations, stating that the revenue projections may change with the latest figures. He continued the budget portion of the meeting to 8:00 a.m. on Wednesday, May 30, 2012, noting that the budget was due in Santa Fe by June 1, 2012.

21. Unfinished Business

Mr. Lovato stated that The EPA Region 6 MS4 Conference in Fort Worth, Texas, would be June 24-29, 2012. EPA Headquarters and EPA Region 6 officials would be in attendance and will meet with AMAFCA. He requested that Director Thomson and Kevin Daggett, AMAFCA Stormwater Quality Engineer, be authorized to attend the conference. He estimated total expenses (airfare, registration, hotel, and meals) at approximately \$3,180.00.

Director Brown made a motion that the Board authorize out of state travel and expenses for Director Thomson and Kevin Daggett to attend the EPA Region 6 MS4 Conference in Fort Worth, Texas, June 24-29, 2012, not to exceed \$3,200.00, pursuant to Resolution 1998-16. Director Hernandez seconded the motion, which passed unanimously (5-0).

22. New Business

None.

Chairman Eichenberg stated that consideration of agenda items 20a through 20f would be carried over to May 30, 2012 at 8:00 a.m., and called a recess at 1:46 p.m.

Chairman Eichenberg called the meeting back to order at 8:03 a.m. on Wednesday, May 30, 2012, noting that all directors except Director Brown were present. He stated that the meeting was a continuation of the May 24, 2012 Board meeting, to consider agenda items 20a through 20f, the FY-2013 Budget.

Chairman Eichenberg stated that as an item of Old Business, he would like to return to agenda item 7a, the legal status report, for an update on pending litigation, before discussing the budget.



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7. Legal

a. Status Report

Director Hernandez made a motion that the meeting be closed, pursuant to the Open Meetings Act, §10-15-1 NMSA 1978, Subsection H, to preserve the confidentiality of the information to be discussed, and as further described in "*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens*," seventh edition, 2010, to discuss a pending litigation matter. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

Chairman Eichenberg closed the meeting at 8:04 a.m. Director Brown arrived at 8:06 a.m. and joined the closed session in progress.

At 8:41 a.m., Director Hernandez made a motion that the meeting be re-opened, stating a pending litigation matter was discussed, and that no decisions were made. He also noted that Director Brown had arrived during the closed session. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Eichenberg reopened the meeting at 8:42 a.m., noting that Director Brown was now present.

Attorney Rael had left the meeting at the end of the closed session due to a prior engagement.

20. AMAFCA FY 2013 Budget

a. FY-2013 Operating Fund Budget

The memo from Ms. Jeffries provided the Board with the FY-2013 Operating Fund Budget. The memo stated that projected property tax revenue was computed using assessed valuations with a zero growth factor, and including half of the protested valuations. The budget showed a \$310,340 drawdown of the beginning balance.

Director Brown made a motion that the Board approve the FY 2013 Operating Fund Budget for submittal to the New Mexico Department of Finance and Administration (DFA) by the June 1, 2012 deadline. Director Hernandez seconded the motion.

Mr. Lovato stated that he had contacted DFA and the Bernalillo County Assessor's Office, and was told that updated valuations would not be available until June 15. This was the most current updated official information that he could provide the Board.

In response to a question from Director Thomson about whether the property taxes AMAFCA pays on property acquired during the year are included in the budget, Mr. Lovato stated that



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those are not included in the initial budget, but are added at the time of a mid-year budget adjustment.

Chairman Eichenberg noted that the May 30, 2012 deadline for protests is for personal property only; the deadlines for real property protests were earlier.

The motion passed unanimously (5-0), on a roll-call vote.

b. FY-2013 Contingency Fund Budget

The memo from Ms. Jeffries provided the Board with the FY-2013 Contingency Fund Budget. The memo noted the beginning balance in the fund is \$4,767,371, which includes \$13,615 in the Reserve Contingency Fund. The memo stated revenues included \$100,000 transferred from the Operating Fund and interest revenue of \$11,492 based on 0.2343% of the monthly balance in the LGIP fund. Expenditures include the normal estimate of \$400,000 for emergencies. \$3,645,000 of the \$4,480,453 ending balance is set aside as reserved funds for specific future projects.

Director Brown made a motion that the Board approve the FY 2013 Contingency Fund Budget for submittal to DFA by the June 1, 2012 deadline. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll-call vote.

c. FY-2013 Building and Yard Improvement Fund Budget

The memo from Ms. Jeffries provided the Board with the FY-2013 Building and Yard Improvement Fund Budget. The budget shows a beginning balance of \$58,597, with a \$50,000 transfer into the fund. The anticipated ending balance is \$109,597.

Director Brown made a motion that the Board approve the FY 2013 Building and Yard Improvement Fund Budget for submittal to DFA by the June 1, 2012 deadline. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll-call vote.

d. FY-2013 Debt Service Fund Budget

The memo from Ms. Jeffries provided the Board with the FY-2013 Debt Service Fund Budget. She noted the starting balance was \$9,791,342, and the ending balance \$9,706,873. The memo stated she had included tax revenue and interest income, minus the reappraisal fee, for total revenues of \$8,699,204, and expenditures of principal and interest payments on August 1, 2012, and the interest payment on February 1, 2013, totaling \$8,783,673, in her projections.

Director Brown made a motion that the Board approve the FY 2013 Debt Service Fund Budget for submittal to DFA by the June 1, 2012 deadline. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll-call vote.



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e. FY-2013 Construction Fund Budget

The memo from Mr. Lovato provided the Board with the FY-2013 Construction Fund Budget. The memo stated that the only changes from the previous month's draft was updating balances or inputting as-bid costs where available.

Director Brown made a motion that the Board approve the FY 2013 Construction Fund Budget for submittal to DFA by the June 1, 2012 deadline. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll-call vote.

f. Adoption of Resolution 2012-09, *Fiscal Year 2013 Budget*

Mr. Lovato stated that Resolution 2012-09, *Fiscal Year 2013 Budget*, would be sent to the New Mexico Department of Finance and Administration by the June 1, 2012 deadline, along with the first pages of the budgets.

Chairman Eichenberg made a motion that the Board pass and adopt Resolution 2012-09, *Fiscal Year 2013 Budget*, and authorize the Chair and Secretary/Treasurer to sign. Director Lyon seconded the motion, which passed unanimously (5-0), on a roll-call vote.

22. New Business

None.

21. Unfinished Business

Director Brown noted that the Board had returned to agenda item 7 during the closed session on litigation matters, and had given the attorney direction.

23. Adjourn

There being no further business to come before the Board, Chairman Eichenberg adjourned the meeting at 8:48 a.m.

Bruce M. Thomson, Secretary-Treasurer, 6/28/12

Recorded by Pamela Woodruff, Executive Administrative Assistant