



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 1

1. Call to Order and Roll Call

Chairman Hernandez called the Regular Board Meeting to order at 10:01 a.m. Thursday, February 27, 2014. Roll was noted as follows:

Directors present: Chairman Danny Hernandez
Director Tim Eichenberg
Director Daniel F. Lyon
Director Bruce M. Thomson

Attorney present: Attorney Vanessa Chavez representing Robles, Rael and Anaya for Attorney Marcus Rael, Jr.

Directors excused: Director Ronald D. Brown

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

A quorum was present.

2. Approval of Agenda

Chairman Hernandez announced that the Bond Sale would occur at 11:00 a.m. The meeting would be temporarily recessed to view the bids coming in.

Mr. Lovato advised the Board that Items 8a, 9a, 9b and 14 were all late mailouts/handouts and they will find copies in their folders on the table.

Chairman Hernandez made a motion to approve the agenda. Director Thomson concurred; Director Lyon seconded the motion, which passed (3-0).

3. Meetings Scheduled

- a. **Thursday, March 27, 2014, 10:00 a.m. – Regular Meeting**
- b. **Thursday, April 24, 2014, 10:00 a.m. – Regular Meeting**
- c. **Thursday, May 22, 2014, 10:00 a.m. – Regular Meeting**

No changes were made to the meeting schedule as presented.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 2

- 4. Appointment to Boards and Committees**
 - a. Personnel and Salary Committee**
 - b. Real Estate Committee**
 - c. Middle Rio Grande Council of Governments**
 - a. Executive Board (Beginning July 1, 2014)**
 - b. MRCOG Board of Directors**
 - c. Middle Rio Grande Water Resources Board**
 - d. MRCOG Metropolitan Transportation Board**

Chairman Hernandez made the following appointments to Boards and Committees:

Personnel and Salary Committee:	Chairman Danny Hernandez and Director Bruce Thomson (Director Thomson will Chair)
MRCOG Executive Board:	Chairman Danny Hernandez
MRCOG Board of Directors:	Chairman Danny Hernandez
MRCOG Water Resources Board:	Director Bruce Thomson
Alternate:	Chairman Danny Hernandez
MRCOG Metropolitan Transportation Board:	Director Ronald Brown

All so appointed had previously agreed to serve. AMAFCA alternates fiscal years on the Executive Board with the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA). AMAFCA's term on the Executive Board runs through June 30, 2014.

5. Items from the Floor/Public Comments

Mr. John Barncastle signed up for Public Comments. Chairman Hernandez advised that he was limited to speak for two minutes. Mr. Barncastle thanked the Board, Mr. Jerry Lovato and Jeff Willis for Mr. Willis' work showing that there was no license on the graveled area at the North Pino Arroyo. The Neighborhood Association has been trying to reach both Mr. James Lewis and Ms. Carol Dumont with the City of Albuquerque. He stated that the rock will be removed from the location.

Chairman Hernandez advised Mr. Barncastle and members of the audience that there is a bike map on the City of Albuquerque website. He stated that he is suggesting that the City add contact information to their website and suggested that AMAFCA add the link in their website as well.

Colonel Richard Leonard advised the Board that Mr. John Kelly, previous AMAFCA Executive Engineer, had been named Engineer of The Year by NMSPE. Mr. Kelly was nominated by Mr. Brad Sumrall and was seconded by Director Bruce Thomson. Chairman Hernandez thanked



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 3

Colonel Leonard for bringing to the Board's attention and offered his congratulations on this accomplishment. He advised that AMAFCA may honor Mr. Kelly at a later date.

6. Approval of Minutes

a. January 23, 2014 Regular Meeting

Director Thomson made a motion to approve the minutes of the January 23, 2014 Regular Board. Director Lyon seconded the motion, motion passed (4-0).

7. Financial Matters

a. Approval of January 2014 Expenditures

Ms. Jeffries presented the January 2014 Expenditure Report. Following a few questions by Director Thomson, Director Eichenberg made a motion to approve the January 2014 Expenditure Report. Director Lyon seconded the motion, which passed (4-0).

b. Investment Report for January 2014

Ms. Jeffries presented the Investment Report for January 2014. There were no questions, and no Board action was required.

c. Financial Recap January 16, 2014 through February 15, 2014

Ms. Jeffries presented the Financial Recap for January 16, 2014 through February 15, 2014. She noted that the Construction Fund Recommend Action was higher than forecast due to pay estimates being higher than expected.

d. Financial Forecast February 16, 2014 through March 15, 2014

Ms. Jeffries presented the Financial Forecast for the period February 16, 2014 through March 15, 2014. She noted that the forecast for the Construction Fund should be amended to include the \$250K Good Faith deposit with the like amount being invested in LGIP. There were no questions.

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



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 4

e. Approval of Resolution 2014-04 Budget Adjustment

Ms. Jeffries presented the Resolution to address late invoices for FY-2013 which were received and paid after the FY-2013 end. This Resolution takes into account the late invoices from the City of Albuquerque and University of New Mexico. It also addresses a line item for additional insurance, which was added to the FY-2014 budget after it had been adopted.

Director Eichenberg made a motion that the Board approve Resolution 2014-04 Budget Adjustment. Director Thomson seconded the motion, which passed (4-0), on a roll call vote.

8. Legal

a. Status Report (handout)

Ms. Vanessa Chavez asked if there were any questions pertaining to the Legal Status Report for January to February 2014. No questions were asked.

b. Closed Session – Potential Litigation

Chairman Hernandez stated that discussion of pending litigation would be in closed session and closed the meeting at 10:36 a.m. The motion passed (4-0), on a roll call vote.

Director Eichenberg 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 Lyon seconded the motion.

Director Thomson asked that the record show the Board had a legal discussion pertaining to water rights and the Board had taken no action and made no decisions during the closed meeting, Director Thomson made a motion that the meeting be re-opened, Director Lyon seconded the motion, which passed (4-0). Chairman Hernandez reopened the meeting at 10:57 a.m.

Chairman Hernandez recessed the meeting. The audience was invited to remain present to view the bond sale bids as they came in.

As bond bids came in, Mr. Mark Valenzuela, from George K. Baum, stated that this bond sale was for \$12.5M. He explained the bid process stating that Moody’s and S&P had reaffirmed AMAFCA’s AAA rating with a stable outlook, the highest rating in the market. He explained that a year ago, Moody’s had changed their outlook to negative due to the economy in the region and the relative nature of federal spending in Albuquerque. Mr. Valenzuela stated that the 2012



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 5

bond sale had been phenomenal, with Janney Montgomery Scott, LLC being the lowest bidder at 0.84329%. He stated that he expected a strong pricing due to AMAFCA's AAA rating and the fact that this rate is very strong. He stated he expected a strong pricing due to AMAFCA's AAA rating and the fact that the supply for municipal bonds is in short supply.

Following close of the bids, Mr. Valenzuela stated that Janney Montgomery Scott, LLC appeared to be the lowest bidder with an interest rate of 1.44618% stating that this rate is very strong. After the bids were verified, Mr. Brown from Modrall Law Firm would be back later in the meeting to guide the Board through adopting the Resolution to award the bonds. He congratulated the Board on obtaining such a good rate.

9. Executive Engineer's Report

a. Notification of Past Month's Activities

The Executive Engineer's Report highlighted significant activities of the past month.

Between his memo and further information given in the meeting, Mr. Lovato covered the following:

- **Corps of Engineers (COE) – Southwest Valley Flood Reduction Project Phase II -** The Albuquerque District has verified that the project funding will need to be found. The Albuquerque District will not have any information or money until March 3, 2014. The possibility still remains that AMAFCA will need to contract this work. The decision date will be March 17, 2014.
- **City of Albuquerque (COA) – Channel Road Phase II -** The City plans to move forward with the project south of El Pueblo. This will be the first project to be built along the North Diversion Channel. AMAFCA has requested additional maintenance ramps to be installed at the North Pino Inlet and that mountable curb to be installed to allow truck access to the AMAFCA maintenance road. The design is currently at a 50% stage and will need to proceed to at least a 65% design before AMAFCA submits the design to the COE for approval. The COE needs to approve modifications to the NDC as part of the PL-99 program.

Avenida Cesar Chavez Boulevard - City staff has moved forward with geotechnical and material testing in support of the design of the grate inlet replacement over the South Diversion Channel (SDC). City staff has requested a presentation to the Board next month. AMAFCA staff plans to meet with City staff before the Board Meeting.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 6

West I-40 Diversion Channel - AMAFCA continues to remove sediment and repaired erosions along the north side of I-40 between 98th street and Unser. The temporary channel improvements constructed with the La Presa project requires maintenance after most runoff events.

Staff has been meeting with private landowners south of I-40 to discuss the possibility of removing flood plain between 98th and Unser by cutting off flows and diverting said flows into La Presa. The additional flows would require building the permanent solution which is a concrete lined and naturalistic channel. Construction of the channel is on the AMAFCA Project Schedule and could be fully funded in a three way agreement between AMAFCA, the City and private landowners. AMAFCA has not discussed with City staff funding for the last portion of the West 1-40 Diversion Channel.

Marble Arno Pond - The City of Albuquerque is continuing with its due diligence concerning the purchase of the property. Chairman Hernandez has met with COA staff concerning the project. He received a commitment from Councilor Isaac Benton, however not from Mr. Michael Reardon. It looks like AMAFCA will be moving forward. Chairman Hernandez advised to keep in mind that the pumps are not designed for a pond, are off the shelf, and cost less than \$8M.

AMAFCA - Executive Administrative Assistant Position - Pam Woodruff resigned her position at AMAFCA. The position will be advertised in the next month.

b. Notification of On-Call Services Task Orders (late hand out)

Mr. Lovato referred to his memo on the on-call task orders that had been issued since the last Board meeting. No Board action was required.

Director Lyon asked where the Lyon Storm Drain is located. Mr. Lovato advised it is along Unser Boulevard, which is the former Lyon Boulevard.

Consent Agenda:

Chairman Hernandez stated that the agenda items 10 through 13 were on the Consent Agenda and no items were moved to the Regular Agenda.

Director Lyon moved to approve the items on the Consent Agenda, Director Thomson seconded the motion, which passed (4-0).



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 7

10a. Request for Travel Authorization – EPA Region 6 MSR Conference, Ft Worth, Texas, July 28 to August 1, 2014

The memo from Mr. Lovato recommended that the Board authorize out of state travel and expenses for Chairman Hernandez and staff to attend the EPA Region 6 Stormwater Conference, July 28 - August 1, 2014 in Ft Worth, Texas, not to exceed \$6,500.00.

10b. Request for Travel Authorization – StormCon 2014 Conference, Portland, Oregon, August 3-7, 2014

The memo from Mr. Lovato recommended that the Board authorize out of state travel and expenses in order for him to attend the North American Surface Water Quality Conference in Portland, Oregon, August 3-7, 2014, not to exceed \$2,600.00.

11. Request for Proposal for Engineering Services for Design and Construction Management Service for the Reconstruction of the North Diversion Outfall Bathtub Structure – Authorization to Advertise

The design of the North Diversion Channel Outfall “Bathtub” Structure causes a hydraulic jump, or standing wave, to occur at flows over about 6000 cubic feet per second (cfs) upstream of the railroad bridge. The “bathtub” structure is lower than the sedimentation area downstream of the bathtub. Modeling of the structure has been done at the University of New Mexico’s (UNM) hydraulics laboratory. The modeling showed that by removing the baffle blocks and extending the lower grade approximately 400 feet to the west that the hydraulic jump can be moved downstream of the railroad bridge. By removing the baffle blocks the structure is much easier to clean and maintain.

The results of the modeling were submitted to the US Army Corps of Engineers. AMAFCA has on file a letter from the Corps that allows for the removal of the baffle blocks and the modifications to the bathtub structure. The baffle blocks have since been removed by the AMAFCA crew. Although additional modeling is being done by UNM, staff would like to proceed with the design and construction of the modifications to the bathtub structure.

The Board was provided the advertisement for the request for proposals for the design and construction management services for the North Diversion Channel Outfall “Bathtub” Structure Project. Included in the advertisement are the evaluation criteria to be used in the evaluation of the received proposals. The RFP also includes submittal of blind cost estimates that will be used for budgeting and negotiation purposes only.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 8

Staff recommended the Board authorize the Executive Engineer to advertise the request for proposals for the design and construction management services for the Reconstruction of the North Diversion Channel Outfall “Bathtub” Structure Project.

**12. Calabacillas Arroyo Grade Control Structure 1a and Bank Protection Project-
Authorization to advertise for Constructions Bids**

With final plans and specifications being processed, the Calabacillas Arroyo Grade Control Structure 1a and Bank Protection Project is ready for bid. The project provides for the construction of a basalt boulder drop structure and basalt boulder bank protection on the Calabacillas Arroyo east of Unser Blvd in Northwest Albuquerque.

The current Engineer’s Estimate of the cost of construction of the project is \$826,000, plus NMGR Tax.

The schedule may be adjusted to account for the issuance of the Corps of Engineers Regional General 404 Permit NM-14-01.

Staff recommended the Board authorize the Executive Engineer to advertise for construction bids for the Calabacillas Arroyo Grade Control Structure 1a and Bank Protection Project.

**13. Calabacillas Arroyo Grade Control Structure 7a and Bank Protection Project-
Authorization to advertise for Constructions Bids**

With final plans and specifications being processed, the Calabacillas Arroyo Grade Control Structure 7a and Bank Protection Project is ready for bid. The project provides for the construction of a basalt boulder drop structure and basalt boulder bank protection on the Calabacillas Arroyo downstream of the Black Diversion Channel in Northwest Albuquerque.

The current Engineer’s Estimate of the cost of construction for the project is \$1,100,000.00, plus NMGR Tax.

The schedule may be adjusted to account for the issuance of the Corps of Engineers Regional General 404 Permit NM-14-01.

Staff recommended the Board authorize the Executive Engineer to advertise for construction bids for the Calabacillas Arroyo Grade Control Structure 7a and Bank Protection Project.

There being no additional questions, and no further items on the Consent Agenda, Director Lyon made a motion that the Board:



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 9

- Approve the request for Travel Authorization for Chairman Hernandez and Ms. Stearns to attend the EPA Region 6 MS4 Conference in Ft Worth, Texas,
- Approve the request for Travel Authorization for Mr. Jerry Lovato to attend the Storm Con 2014 Conference in Portland, Oregon
- Authorize AMAFCA staff to advertise for Request for Proposal for Engineering Services for Design and Construction Management Service for the Reconstruction of the North Diversion Outfall “Bathtub” Structure
- Authorize AMAFCA staff to advertise for bids for the Calabacillas Arroyo Grade Control Structure 1a and Bank Protection Project
- Authorize AMAFCA staff to advertise for bids for the Calabacillas Arroyo Grade Control Structure 7a and Bank Protection Project

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

Regular Agenda:

14. 1-40 Diversion Channel between Unser & 98th Street - Update (late m/o)

AMAFCA is currently finalizing the West I-40 LOMR and staff looked into how easy it would be to modify the LOMR to address the final construction of the diversion channel.

The LOMR can be modified in the next ten days to address flows south of I-40. Removal of the flood plain will be contingent upon a constructed project. AMAFCA would need to prepare a design and construction management request for proposal as soon as possible to allow construction to occur after the current monsoon season.

Staff would like authorization to draft an agreement between AMAFCA, City and private land owners south of I-40 that would benefit from diverting all flows east to the Rio Grande. Staff will also draft an RFP for design and construction management services for the Board consideration at next month’s meeting.

Director Thomson asked about the total cost of the project. Mr. Lovato replied that the cost is approximately \$2.5M.

Director Thomson made a motion that the Board authorize the Executive Engineer to draft an agreement with the City and private landowners to develop an agreement to provide funding for this project. Director Lyon seconded the motion, which passed (4-0).

15. Validation/interpretation/release of USGS Data (m/o)



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 10

Ms. Karen Stearns, AMAFCA Stormwater Quality Engineer, briefed the Board on what has been received to date.

Ms. Stearns has been trying to coordinate with Mr. Matt Ely, with USGS, and invited him to the Board meeting; however he is in Socorro and is not able to attend. She is hoping to get with him today or tomorrow morning.

There is some confusion on the Quality Assurance plan and has been told that USGS is currently writing the QA plan. USGS is saying some things meet their standard protocols and some do not meet their protocols. They have stated they need additional money to put the data through the USGS protocols. Ms. Stearns does not believe this is necessary and that it would not add value to the program at this time. She is trying to get some additional information to present to the Board. Director Thomson asked if it is unusual to write a QA procedure after the work has been done. Ms. Stearns did agree. Mr. Lovato advised that AMAFCA has drafted a letter to EPA Region 6 which will identify those issues. AMAFCA was notified in September of these issues and we need to notify EPA that we may have submitted information that is not validated. Director Thomson said it appears that USGS is asking for additional money to do QA protocol that should have been done some time ago. Chairman Hernandez asked if AMAFCA would ever be able to use the data. Ms. Stearns stated that additional information is needed regarding the QA Validation process in order to determine if it meets EPA requirements. Director Thomson asked if the information in bold italics on her memo is information she had received from USGS. Ms. Stearns affirmed.

AMAFCA has requested in writing and via phone the following information. AMAFCA has received a partial response from USGS, which is summarized below with the answers included:

- Question to USGS: A copy of the USGS Quality Assurance Data Management Plan for the water quality monitoring program.
 - USGS is now writing the USGS quality assurance plan for the monitoring program. The USGS has official QA guidance; however, nothing was written specifically for the AMAFCA-City Urban Program.
- E. coli and fecal coliform and the 2012 QA results for the Utility lab.
 - No answer received
- Complete set of QA results for the USGS and State labs.
 - No answer received
- Confirmation that any data not passing validation will not be published.
 - USGS has confirmed that they will not include the substandard data in the published report; however, the database contains the substandard data.
- A copy of the water quality database through 2012.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 11

- A copy of the database with data through July 2013 has been provided; however, the 2013 data had not been QA-ed by USGS at that time.
- Anticipated completion date for QA-ing the 2013 data and adding the QA-ed data to the database.
 - According to USGS, there were some "minor snags" with the 2013 Utility Lab data. Those problems are being corrected and USGS is transferring the corrected data to the database.
- Status on providing the 2003-2012 Water Quality Report to AMAFCA and the City on March 31st for our review.
 - The draft Water Quality Report is on track and should be ready for AMAFCA/City of Albuquerque review on the anticipated date.
- Status on providing the 2013 quarterly reports.
 - The first quarterly report will be submitted in time to incorporate into the Annual Report for EPA.

In order to correct the course of the monitoring program, AMAFCA is in the process of requesting fee estimates from one of the Water Quality On-Call contractors to perform a complete Monitoring Program Assessment. The objectives for this assessment are to:

- Assess the existing program relative to the industry standard and the requirements of the EPA and NMED; and
- Provide recommendations for improving the program and tailoring it to the Watershed MS4 Permit anticipated in April 2014.

The program elements to be included in the review are: Sample Collection, Laboratory Testing, QA/QC, Data Analysis, and Reporting to EPA.

Information regarding the status of the data validation has been shared with water quality staff at the City of Albuquerque and New Mexico Department of Transportation. AMAFCA will take the lead in documenting this information to EPA. This documentation will likely be timed with the submission of the 2013 Annual Report.

Director Thomson asked if AMAFCA is considering seeking other support for monitoring. Also, when we add more MS4s to the program for the watershed based permit, would USGS continue with their matching funds, and if we discontinue the agreement with USGS, what will be the financial ramifications. Mr. Lovato stated that adding MS4s to the USGS monitoring cooperative will change the USGS matching amount and probably decrease the amount. Director Thomson advised that the last data he could find was in 2004 and if USGS cannot provide reliable data, regardless of the costs savings, it is not money well spent. Ms. Stearns responded that the program assessment scope will include a cost estimate for the new



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 12

monitoring program. Director Eichenberg asked how much money is being spent on USGS. Mr. Lovato stated AMAFCA's share is approximately \$180,000.00. Director Eichenberg asked if AMAFCA has explored how much money will be refunded. Mr. Lovato advised that trying to get reimbursed at this point it would have to come from Congress. It is not impossible, but very difficult.

Director Lyon asked for Ms. Stearns' suggestion. Ms. Stearns advised that another letter from Mr. Lovato, and possibly the Board, might further the cause. Her letter did get some questions answered and another letter might result in getting more answers.

Director Thomson advised that the Board should give USGS a little more time to respond. He would like to see this on next month's agenda. Chairman Hernandez advised that AMAFCA should get as much data as possible, but move forward to find other methods of collecting the data.

16. Signal Dike / La Cueva Channel – Project Briefing

Along with her memo, Ms. Lynn Mazur, AMAFCA Development Review Engineer, briefed the Board on the four lots that AMAFCA owns on the north side of Signal Avenue west of Ventura Street for the La Cueva Arroyo Signal Dike.

The flood control dike was constructed in the 1990's to keep the La Cueva Arroyo floodplain out of property to the south and west. Mr. Adil Rizvi, is a potential buyer/developer of several lots along Alameda Boulevard east of Barstow, developed the subdivision south of Signal and installed infrastructure that could serve the four lots. He has proposed a property exchange, consisting of nine lots for AMAFCA's four Signal Dike lots.

The options are:

- a. Develop the four lots with scour protection, extend the improved La Cueva Channel south of Alameda and construct a crossing structure under the roadway that can be used for the future Alameda Boulevard / La Cueva Channel improvements project. Alameda is currently a low-water crossing with a potentially hazardous dip section. This will improve the entrance condition on the La Cueva Channel south of Alameda and provide a safer road condition.
- b. Develop the four lots with appropriate scour protection to protect the development from the erosive effects of the arroyo. AMAFCA will have the property north of Alameda to improve the entrance condition on the improved La Cueva Channel.

Any property exchange will need to be publicly advertised and approved by the New Mexico Department of Finance which can take up to a year and a half.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 13

Director Eichenberg asked if the land to the east of AMAFCA's lots are owned by Mr. Rizvi. Ms. Mazur replied that they are not.

Mr. Lovato advised that if the nine lots became available to AMAFCA, La Cueva Arroyo would become a more naturalistic arroyo. Director Hernandez asked about the cost. Mr. Lovato replied that the cost would be approximately \$9M dollars, all AMAFCA funds.

Director Eichenberg expressed that he liked the proposal and liked the idea of keeping it more natural.

Mr. Lovato stated that some portions might be sold to cover the cost of the project. Director Eichenberg opined he did not think AMAFCA would need to sell off any excess property.

Director Thomson stated that he would support the project. This was an information item.

17. Briefing on 2014 New Mexico Legislative Session

Along with the memo provided to the Board, Ms. Vanessa Alarid and Mark Fleisher with Alarid Consulting updated the Board on the 2014 New Mexico Legislative Session. A brief recap is below:

Ms. Alarid mentioned that 700 bills were proposed and only 91 are going to the Governor to be signed.

Director Eichenberg asked about Senate Bill 77 and Senate Bill 16 - was there discussion and can this water be harvested to dam the diversion channel and keep that water. Ms. Alarid replied that she had spoken with Senator Worth and he did know this bill was going to die, but that he would continue conversations with AMAFCA. Director Eichenberg asked Chairman Hernandez to work with AMAFCA's lobbyists and with Senator Worth.

Ms. Alarid advised this session was dubbed "The Year of the Water". A list of projects was never received from the Governor's office. Ms. Alarid and Mr. Fleisher compiled a listing of bills that they believe follow AMAFCA's priorities. These are compiled within the memo provided to the Board.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 14

18. Field Highlights

a. Construction Report

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

b. Field Report

Mr. Kurt Wagener, AMAFCA Field Engineer, gave a report of various projects and events over the past month, answering several questions from the Board during his presentation. The Board viewed pictures of the AMAFCA's Boca Negra Dam, Agency and Area Wide, Volcano Vista Cross Country team utilizing one of the multi-use paths, 81 year old Mary riding along in her ELF, and the UNM Modeling Project were some of the items mentioned. One item in particular called out was the petroglyph crucifix (estimated 500 years old artifact) was left intact on the rock on the Boca Negra Dam Project that the late Jay Lee Evans was concerned about.

19. 2014 Bond Sale – Consideration of Resolution 2014-05, General Obligation Bond Award Resolution (m/o)

Mr. Mark Valenzuela advised the Board that the paperwork was ready and the final numbers had been verified. Mr. Daniel Alsup, Modrall Law Firm, presented the Resolution and noted that it authorizes the issuance for the Bonds and provides the final terms. Director Eichenberg asked about the firm of Janney Montgomery Scott. Mr. Alsup replied that they are investment advisors that represent institutions and private wealth and they are located in Philadelphia. The Resolution sets out the form of the Bond, authorizes publication of notices of the adoption of the Resolution in the local paper, and authorizes the board and staff to go forward with the Bonds.

Director Thomson made a motion that the Board adopt Resolution 2014-05. Director Lyon seconded the motion, which passed (4-0), on a roll-call vote.

20. Real Estate

a. Consideration of Approval of Quitclaim/Release of Temporary Floodplain Easement in Avalon Subdivision

Director Eichenberg made a motion to approve the Quitclaim/Release of Temporary Floodplain Easement in Avalon Subdivision. Director Lyon seconded the motion, which passed (4-0).



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
February 27, 2014**

Page 15

**b. Authorization to Appraise Two Parcels of Land Adjacent to AMFACA
Office for Building and Yard Expansion**

Director Eichenberg asked if AMAFCA had been in contact with the seller. Mr. Willis replied that he has not yet contacted the owner. Director Eichenberg stated that the Real Estate Manager contact the seller to see if interested in selling the property. Mr. Willis provided the Board with information on a back taking instead of a front taking and answered questions from the Board.

Director Lyon asked what contact AMAFCA has had with the owners prior to now. Mr. Lovato advised he has had a previous conversation with the out of state owner of the Holiday Inn and they discussed the easement and semi-truck parking issue.

Director Eichenberg made a motion that the Board authorize the Real Estate Manager to appraise the land after Mr. Willis has contacted the owner to find out if they are willing to sell the properties and share in the cost of the appraisal(s). Once the information is known, then it should be presented to the Board again. Director Lyon seconded the motion, which passed (4-0).

21. Unfinished Business

Mr. Lovato asked for suggested dates for the Boca Negra Dam Ribbon Cutting. Three weeks lead-time is needed to invite Mayor Berry. Director Lyon advised that he would like to leave it up to Mr. Lovato and the Chairman and if Director Lyon cannot make it, Mr. Lovato will speak for him.

22. New Business

None

23. Adjourn

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

Bruce M. Thomson, Secretary-Treasurer, 3/27/2014

Recorded by Guylene Harris, Administrative Assistant