



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 1

1. Call to Order and Roll Call

Chairman Brown called the Regular Board Meeting to order at 10:02 a.m. Thursday, July 24, 2014. Roll was noted as follows:

Directors present:	Chairman Ronald D. Brown Director Tim Eichenberg Director Danny Hernandez Director Daniel F. Lyon Director Bruce M. Thomson
Directors excused:	None
Attorney present:	Attorney Vanessa Chavez, Robles, Rael & Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Jerry Lovato, AMAFCA Executive Engineer, noted that there had been late mailout memos on agenda items 8a and 8b. There were no changes to the agenda.

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

3. Meetings Scheduled

- a. **August 28, 2014, 10:00 a.m. – Regular Meeting**
- b. **September 25, 2014, 10:00 a.m. – Regular Meeting**
- c. **October 23, 2014, 10:00 a.m. – Regular Meeting**

No changes were made to the meeting schedule as presented.

4. Items from the Floor/Public Comment

Mr. John Barncastle had signed up for public comment. He advised that after being patient for some time and trying to work with a number of agencies to correct his concerns, he was pleased to



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 2

be directed to the Risk Management Division within the City of Albuquerque. He reported that while working with them they seemed very eager to listen to the safety issues on their multi-use paths that he has previously brought before the AMAFCA Board of Directors. He thanked Mr. Kurt Wagener, AMAFCA Field Engineer, for his help and wanted to let him know that there is still gravel on the North Pino multi-use trail.

Director Lyon noted that Ms. Cynthia Borrego was present and asked if it would be appropriate for her to address the Board and tell those present about herself. Ms. Borrego, candidate for District 2, introduced herself and provided a brief background. She stated that while driving home after leaving a game on the Base during a recent rainstorm, the area around Lomas quickly became a very dangerous situation. She is looking forward to her election campaign and hopes to be working with the Board in the future.

Mr. Jerry Lovato, AMAFCA Executive Engineer, noted that AMAFCA had two new employees in attendance. Ms. Guylene Harris, Executive Administrative Assistant, introduced Ms. Chastity “Chas” Winebrenner, AMAFCA Administrative Assistant. Ms. Winebrenner thanked everyone and stated she was happy to be with AMAFCA and found everyone she has met friendly and more than willing to help when she needed assistance. Director Eichenberg asked when the originating legislation for AMAFCA was. Ms. Winebrenner responded that she knew that AMAFCA celebrated its 50-year anniversary last year. Mr. Bradley Bingham, Drainage Engineer, introduced Ms. Savannah Martinez, AMAFCA Intern. Ms. Martinez stated she just graduated from UNM in Civil Engineering and is moving towards her Masters in Water Resources Civil Engineering. She is very happy to be with AMAFCA. Director Thomson stated that Ms. Martinez is a former student of his and might be a future student.

5. Approval of Minutes

a. June 26, 2014 Regular Meeting

Director Lyon noted corrections to the minutes, stating that on page two, second page, Mayor Berry was referred to as Major Berry. On page 3, first sentence, the word calculus should read calculations.

Director Hernandez made a motion to approve the minutes of the June 26, 2014 Regular Board Meeting, as corrected. Director Thomson seconded the motion, which passed (5-0).



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 3

6. Financial Matters

a. Approval of June 2014 Expenditures

Mr. Jerry Lovato, AMAFCA Executive Engineer, referred to Ms. Jeffries' memo and the Expenditure Report pertaining to the June 2014 Expenditures.

Responding to a question from Director Thomson, Ms. Guylene Harris stated that New Mexico Gross Receipts Tax filing and fee that was charged to the Wells Fargo credit card was from a huge sediment sale, and that since the buyer was not tax-exempt then sales tax needed to be collected and reported. Director Eichenberg asked why AMAFCA is using a credit card to pay the charges and a 2.5% fee as opposed to having a direct withdrawal from the bank accounts so the fee imposed on payments are not applied. Mr. Jerry Lovato advised that AMAFCA will see about the possibility of handling future payments via direct withdrawal.

Director Thomson made a motion to approve the June 2014 Expenditure Report. Director Lyon seconded the motion, which passed (5-0).

b. Bank Reconciliation Fiscal Agent Funds

Mr. Lovato stated that Ms. Jeffries' memo provided the Bank Reconciliation Fiscal Agent Funds report for June 2014.

There were no questions, and no Board action was required.

c. Investment Report for June 2014

Mr. Lovato noted that Ms. Jeffries' memo provided the Investment Report for June 2014. No Board action was required.

d. Financial Recap June 16 2014 through July 15, 2014

Mr. Lovato stated that Ms. Jeffries' memo provided the Financial Recap for the period June 16, 2014 through July 15, 2014. The memo requested Board approval of the forecast.

There were no questions, and no Board action was required

e. Financial Forecast July 16, 2014 through August 15, 2014

Mr. Lovato stated that Ms. Jeffries' memo provided the Financial Forecast for the period July 16, 2014 through August 15, 2014.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 4

Director Thomson asked if both the Financial Recap and the Financial Forecast can be put on the same sheet; just add another column. Director Hernandez concurred and stated that he generally puts both sheets side by side to make a comparison. Mr. Lovato advised that AMAFCA would work on getting both reports on one sheet.

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

f. Approval of Official Finding to Delete Units 202 and 203 from Inventory

Mr. Lovato advised that an Official Finding needed to be signed to delete the two dump trucks from inventory. The purchase of two new trucks was mentioned at the May and June meetings. As stated in the Resolution 2006-16, *Relating to the Disposition of Obsolete, Worn-out or Unusable Personal Property*, the Board is required to make a specific finding that items are worn-out, unusable, or obsolete before they are to be removed from the inventory.

A condition of the bid would be for the bidder to take Units 202 and 203 as trade-ins. Staff recommended that the Board approve deletion / removal from AMAFCA's Capitalized Fixed Asset Inventory and authorize the dump trucks to be used as trade-ins on the purchase of the two new dump trucks. The trucks are listed on the inventory at the purchase price of \$51,978 each. The total amount to be deleted from inventory is \$103,956. Staff further recommends the Board execute the Official Finding for submission to the State Auditor.

Director Eichenberg asked that this item be deferred until after Item 11. Director Hernandez made a motion that the Board defer the approval of Official Finding to Delete Units 202 and 203 from Inventory until after Item 11, Award to low bidder for two 35,000 GVWR Single-Axle Dump Trucks. Director Thomson seconded the motion. After brief discussion, the motion passed (5-0).

g. Approval of Resolution 2014-13, AMAFCA Fourth Quarter Financial Report Ending June 30

Mr. Lovato mentioned that AMAFCA is required to file the Fourth Quarter Financial Report Ending June 30, 2014 with the Local Government Division (LGD). The LGD had examined the AMAFCA interim budget for the Fiscal Year 2014-15 and had granted approval and certification for use. The final budget approval is subject to their receipt of this additional documentation.

Staff recommended that the Board pass and adopt Resolution 2014-13, *Final Quarter Financial Reports Ending June 30, 2014*, and authorize the Chair and Secretary to sign the Resolution.

Director Lyon made a motion that the Board adopt Resolution 2014-13, *Final Quarter Financial Reports Ending June 30, 2014*, authorize the Chair and Secretary to sign the Resolution, and



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 5

AMAFCA staff to file the reports with the LGD. Director Hernandez seconded the motion. The motion passed (5-0), on a roll call vote.

7. Legal

a. Status Report

Attorney Vanessa Chavez stated that the memo briefed the Board on the status of various legal matters. There were no questions from the Board.

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) Phase II:** The Albuquerque District has negotiated the contract work to start soon. The cost is just under \$4M.
- **US Environmental Protection Agency – Green Infrastructure Technical Assistance Program:** The design charrette has taken place. The project focus consists of taking green infrastructure features and adapting them to the arid southwest. The work focused on a proposed 120,000 square foot mixed use (residential and retail) building in downtown Albuquerque. A preliminary design was started and will be the subject of an item next month. The EPA has been advised that with the green roof program in Albuquerque, the arid southwest, there are some concerns regarding the benefits of storing nine inches of rain in the monsoon season compared to 70 inches of evaporation in the same region. EPA is looking at alternatives to some of the green infrastructure that they require with the other permit.

Various Rain Events: There have been a number of rain events recently and the AMAFCA crew and staff have done an outstanding job. Mr. Kurt Wagener, AMAFCA Field Engineer, has been working with other agencies to clean up other areas. AMAFCA was contacted about sandbags and additional help for Algodones, NM where there was some extensive flooding. AMAFCA is waiting to get an official request to help.

Director Hernandez stated he had met with Senator Michael Padilla, and Mr. Andres Romero, State Representative Elect, regarding flooding in the south valley. He has been



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 6

talking to them about the various flooding areas and the Three Dams Project that AMAFCA has been trying to get done in the south valley. Senator Padilla arranged a meeting to take place on July 31, 2014 to discuss this project with the MRGCD. Director Hernandez and Mr. Lovato spoke with the AFSME trucking company. It was mentioned that they have an arroyo on their property that they fill in with sand after every rainfall. Mr. Lovato and Director Hernandez were able to provide advice on what can be done on their property.

AMAFCA has some videos showing the extent of some of the flooding area at Gibson and Louisiana. Director Thomson opined that there might be a good opportunity to revisit this issue now. He recently attended a meeting on Kirtland Air Force Base (KAFB) regarding the bulk fuel spill. Mr. Brett Wilson, KAFB Civil Engineer, and Mr. Pete Stromberg, a neighborhood activist, attended as well. There was a conversation about flooding, and Director Thomson stated that the Base might be a little more open now for a discussion with AMAFCA.

Mr. Lovato stated that he has been in talks with the City regarding co-locating a drainage pond near San Pedro and Louisiana Blvd. The City is looking at a possible joint purchase project. The City has been trying to work with AMAFCA to address flood plain issues.

b. Notification of On-Call Services Task Orders

Mr. Lovato stated that one on-call task order had been issued this month as described in his memo, and gave further information to the Board.

There is a meeting with the Office of the State Engineer to discuss dam breach analysis and a flood plain Emergency Action Plan in the urban area on July 31, 2014.

Director Eichenberg asked if this had to do with Dr. Galbreth's change to the spillway of Pino Dam. Mr. Lovato responded, no, it has to do with an Emergency Action Plan for Pino Dam and the inundation mapping associated with the plan. Dr. Galbreth's work identified the problem with the dam. Director Eichenberg asked why Bohannon Huston was chosen to do the analysis. Mr. Lovato advised that Bohannon Huston did the original Emergency Action Plan for Pino Dam about five to six years ago, and they have intimate knowledge of the project.

9. Personnel and Salary Committee

Director Hernandez advised that the Personnel and Salary Committee (PSC) had met and were recommending a Cost of Living Adjustment (COLA) for FY-2015. A 2% COLA, using current salaries, was recommended for all AMAFCA employees, except for the Executive Engineer. He stated that base pay rate should be looked at every five years. Every time a new hire is needed the



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 7

job description and base pay rate is looked at. He stated that the Executive Engineer's evaluation would be available at the August 2014 Board meeting.

Director Thomson stated while a COLA was granted in FY-2014, there had not been a COLA for quite a few years before.

Director Eichenberg inquired on how much this will affect the AMAFCA budget. Mr. Lovato replied that it would be approximately \$43,000.00 for FY-2015. Responding to a question on where the COLA is plugged into the budget, Mr. Lovato advised that each position's salary had been forecasted with a 2% increase within the FY-2015 budget. After further discussion, it was recommended that the PSC submit a formal recommendation since the item was not posted as an action item at the time of the current Board meeting.

Director Eichenberg made a motion to defer approving a COLA until the August meeting. Director Lyon seconded the motion. The motion passed (5-0).

Chairman Brown stated that regarding base pay, the PSC would work on looking at the base pay. This item and the Executive Engineer's evaluation will be covered in closed session at the August meeting.

10. 2014 Board of Directors Election – Approval of Certification of Nomination

Mr. Lovato advised that Ms. Jeffries' memo stated that the nominating petitions for the 2014 Board of Directors Election were received by the 5:00 p.m. deadline on June 24, 2014. The nominating petitions were verified to ensure that at least fifty signatures were obtained for each candidate.

Candidates and ballot positions will be as follows:

District 1:

Ballot Position 1 – Danny Hernandez
Ballot Position 2 – Deborah L. Stover

District 2:

Ballot Position 1 – Eloise Gift
Ballot Position 2 – Cynthia Borrego
Ballot Position 3 – Thomas Anthony Anderson
Ballot Position 4 – Dan Serrano

The Certification of Nomination will be sent to the Bernalillo County Clerk and the New Mexico Secretary of State once it has been signed by the Secretary-Treasurer of the Board. Legal counsel had reviewed the Certification of Nomination. Chairman Brown stated that no challenges to the amount of signatures or the signatures themselves have been received so the names will remain on the Ballot as listed.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 8

Director Lyon made a motion that the Board approve the Certification of Nomination and authorize the Secretary-Treasurer to sign the same. Director Thomson seconded the motion. The motion passed unanimously (5-0).

11. Award to low bidder for two 35,000 GVWR, Single-Axle Dump Trucks

Mr. Kurt Wagener, AMAFCA Field Engineer advised the Board that the two units that are being traded in need to be deleted from inventory by the Board, prior to approving the official purchase of two new units. At this time the Board voted on deleting units 202 and 203 (see Item 6g).

Mr. Wagener advised that three (3) bids were received from the following:

Roberts Truck Center of New Mexico, LLC, Rush Truck Center, and Lonestar Freightliner Group.

All bids had included the completed AMAFCA Campaign Contribution Disclosure Form and were deemed responsive. All bids listed resident business numbers.

Responding to a question on what is being offered for the trade-ins, Mr. Wagener referred to the Bid Tabulation in the Board mailout. Director Eichenberg asked if the units being traded in are being used. Mr. Wagener responded that unit 202 is not as it has engine problems; however, unit 203 was used, when needed, until it was included as a condition for bid. All three bidders came out to look at the trucks. Both of the current dump trucks are 15 years old with over 130,000 miles. Director Lyon asked why more miles cannot be added on the trucks since diesels are known to have a long life and how many miles will be expected from each truck. Mr. Wagener reminded the Board that the trucks do not carry normal loads and they are not utilized on the highway since they are actually work trucks that are working on the North Diversion Channel and other facilities, and haul heavy rocks.

Director Lyon made a motion that the Board approve the deletion / removal from AMAFCA's Capitalized Fixed Asset Inventory and authorize the dump trucks to be used as trade-ins on the purchase of the two new dump trucks and that the Board execute the Official Finding for submission to the State Auditor. Director Thomson seconded the motion, which passed (5-0) on a roll-call vote.

Staff recommended that the Board award the bid of two Single-Axle 35,000 GVWR Dump Trucks to the lowest bidder, Roberts Truck Center of New Mexico, LLC, in the amount of \$195,000.00, not including New Mexico Gross Receipts Tax.

Director Lyon made a motion that the Board award the bid to Roberts Truck Center of New Mexico, LLC and authorize the Executive Engineer to execute a purchase order for the purchase of



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 9

two Single-Axle 35,000 GVWR Dump Trucks in the amount of \$195,000.00, plus the trade-in of the two vehicles. Director Thomson seconded the motion, which passed (5-0).

12. Proposed Grant of Drainage Easement on Tract 4 of Piedras Marcadas Channel and Detention Dam

Ms. Lynn Mazur, Development Review Engineer, presented an introduction on a proposed project east of the AMAFCA tract at Piedras Marcadas Dam. Information shown included AMAFCA's Tract 4 next to the proposed development area, the proposed ponding area, and an adjacent residential subdivision. The Piedras Marcadas Outfall goes through the four-acre AMAFCA tract. The tract was presented as a potential surplus property at the March Board meeting.

Drainage in the area is controlled by the "North Coors Drainage Management Plan Middle Area," prepared in the 1990s. Stormwater discharges to the Corrales Main Canal, which AMAFCA maintains for drainage, and is restricted, per the license between AMAFCA and the Middle Rio Grande Conservancy District (MRGCD) to 90 cubic feet per second (cfs). The basin downstream of the dam generates around 100 cfs. The downstream pipes put in by Bosque Del Pueblo on the east side of Coors restrict discharge even further to 45 cfs. The plan is to tie in inlets from Eagle Ranch and construct a storm drainpipe maintained by COA to take the low flows at 44 cfs. Higher flows will surge into the pond on Mr. Grady's property and into the pond on AMAFCA's tract. They do not propose any grading on AMAFCA's property at this time. The pond will take the 100-year flow.

Mr. Lovato provided some additional information on the other sizes of pipes and the flow running through them. The COA pipe will take public water from Eagle Ranch and the dam spillway to clean up the Coors/Eagle Ranch intersection and get it into an existing 60-inch pipe under Coors that is constricted to 2-21-inch pipes. The pond will become a regional pond. This is not a license since the pond will be a mapped flood plain. It will have to be an easement.

Director Eichenberg asked how the AMAFCA tract was deemed surplus. Mr. Lovato advised that the issues were not known at the time, and the 21-inch pipes were not known to be there. Ms. Mazur advised that culverts under Coors that were open once are now plugged and running down Coors to Mr. Grady's property. Mr. Lovato stated that the pipes might have been plugged when the NMDOT did the Paseo Del Norte and Coors Project.

Mr. Doug Hughes of Mark Goodwin and Associates provided a recap of the extent of the ponding on the lot. The area is a defacto pond. He advised that there is a public right of way that may be a county road or a vacated road, etc., west of the property. There was a brief discussion regarding how properties are accessed, the amount of flow going on the property, and getting public water off the property.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 10

Director Eichenberg asked why AMAFCA wants to grant an easement and has proposed turning maintenance over to the City. Mr. Lovato stated he was trying to minimize maintenance. Director Thomson inquired about the structural impacts on the embankment of Coors when water gets up to five to six feet. Mr. Lovato stated that the embankment will get wet, but water cannot be held for more than 96 hours. He stated that if AMAFCA maintains the area, it might need to change the shape of the pond, therefore minimizing saturation of the embankment. Director Eichenberg said that it sounded like the proposal is a Band-Aid, and it is not helping the community. Chairman Brown advised that if there is a ponding area on AMAFCA property, AMAFCA should configure it properly and maintain it.

Director Eichenberg asked if Mr. Grady's property is for commercial use. Mr. Grady responded, yes, and advised he cannot get his site plan permit approved without AMAFCA's approval. The project has been held up for approximately 120 days. Hence, his corporate office and the radio station cannot be moved. His engineer's work helped to uncover the problem; however, the delays are now causing problems. He asked that the Board make a decision as soon as possible so that he can get his site plan approved. Chairman Brown advised that the Board cannot act on an Informational Item; 72 hours' notice must be given to take action.

Director Lyon asked what the City is willing to do to correct this issue. Ms. Mazur advised they are willing to take over the storm drain. Mr. Lovato advised that the City approached AMAFCA for a license, which he does have the authority to grant. However, due to the complex nature of the proposal he wanted to bring it to the Board. Director Lyon asked if this is a joint venture and if Bernalillo County will be involved. Mr. Lovato advised he is not sure of the status of the road, and AMAFCA will talk to Bernalillo County. Director Eichenberg asked if the drainage pipe along Coors is going to be new. Ms. Mazur responded, yes, it would be put in at the cost of the developer. Responding to how deep the pond will be, Mr. Hughes advised that it is about five feet deep.

Chairman Brown summed up the following: if a pond is put on the AMAFCA property, AMAFCA maintains it. AMAFCA will require the pond to have a greater capacity to solve more drainage problems in this area. The Board would approve this plan. It might make more sense for the property owner to not pond or reduce their ponding all together. AMAFCA then would take on the entire drainage problem. Mr. Grady thanked the Board for being willing to take on the entire source of the problem; however, the City has agreed to the current drainage plan. He has also allocated a portion of his property to accommodate the public water, and opined that since he is minimizing the impact on the AMAFCA property, the plan should continue as proposed. If AMAFCA revises the plan, it will again delay his project for many more months. He asked that if the Board wishes to take on the water, the AMAFCA Board provide the City with a letter advising that the Board will accommodate whatever is needed so that he may get his project back on line. Ms. Mazur advised she could draft a letter to the City that will give directions to proceed. The letter would be sent to Mr. Curtis Chernie with the City. Mr. Chernie was in the audience and advised



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 11

that if AMAFCA were willing to do maintenance, there would not be a problem. A discussion regarding how long the project was going on and when the pipe size problems arose took place.

Chairman Brown advised AMAFCA staff has been given direction. Director Hernandez recapped the issue concerning the Open Meetings Act and how a decision could not be made today.

13. Westside Boulevard Improvements – Project Introduction

Mr. Lovato introduced the agenda item. He briefed the Board on the area at the Black Dam. He stated that Phase I of Westside Boulevard Project was a developer driven project that resulted in the construction of ½ of a bridge crossing and the two west bound lanes of Westside Boulevard. The project was constructed under a COA work order and included construction in the City of Rio Rancho. The City of Rio Rancho is taking the lead in the design and Construction of Phase II. Phase II will construct the second half of the bridge and the two eastbound lanes of Westside. The eastbound lanes abut AMAFCA's Black Dam. AMAFCA has requested that the City of Rio Rancho provide access to the AMAFCA facility. The current design will require that AMAFCA provide a temporary construction easement to the City of Rio Rancho and a permanent easement to the City of Albuquerque for the AMAFCA access and graded slope easements associated with the bridge abutments.

Responding to questions, Mr. Lovato pointed out where the access points will be.

Chairman Brown advised that if the Board approves an easement to be given for the bridge and to accommodate the temporary construction then AMAFCA will be getting the maintenance access in return.

14. Valle de Oro Site Plan – Overview of Final Site Plan

Ms. Karen Stearns, AMAFCA Storm Water Quality Engineer, introduced Mr. Dan Aguirre with Wilson and Company and Mr. George Radnovich with Sites Southwest. Prior to their presentations, Ms. Stearns took the time to thank Ms. Jennifer-Owen White with US Fish and Wildlife for all of the support during the entire project. This is a site plan for both AMAFCA and US Fish and Wildlife. Ms. Stearns also thanked Mr. Roger Paul with Bernalillo County for his help in hosting the public meetings at the community center. She stated that Bernalillo County staff did a great job on getting the word out to reach the public for these meetings.

Mr. Dan Aguirre with Wilson & Company presented information on the various meetings that included a charrette, scoping meeting, workshop, public meetings, and meetings with US Fish and Wildlife Service, Middle Rio Grande Conservancy District, and the Bureau of Reclamation. The public meetings were very well attended.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 12

Mr. George Radnovich with Sites Southwest presented information on the site analysis, early layouts, alternatives, concept 1, concept 2, and an AMAFCA swale.

Mr. Dan Aguirre then provided information on the Engineering portion of the plan and responded to questions. Some of the various components included conveyance, water quality, the fit within the Urban Refuge, and the Southeast Valley Drainage Management Plan.

From Ms. Stearns' memo it was noted that the site plan specifically defines AMAFCA's drainage corridors through the refuge. The storm water conveyances will enter the refuge along 2nd Street at the north and south boundaries of the refuge. Storm runoff will pass through a water quality structure at 2nd Street in order to remove trash, debris, and sediment before entering the refuge property. As the storm runoff meanders through the refuge, it will pass through additional water quality ponding areas in order to remove sediment, with the added benefit of providing habitat.

Director Hernandez thanked everyone involved and asked Ms. Owen-White what she thought of the project. She advised she loved how the project turned out. Their concerns were addressed and done so in a timely manner. She thanked everyone for their partnership.

15. 2014 Water Quality Monitoring – Update on compliance efforts on the 2012 Permit

Between her memo and her presentation, Ms. Karen Stearns, AMAFCA Storm Water Quality Engineer, recapped the following:

The FY-2015 approach has been defined. All Phase 1 co-permittees had been notified, per the 2003 Collaborative stating it must be done on an annual basis. A Letter of Concurrence was issued to the New Mexico Department of Transportation (NMDOT), City of Albuquerque (COA), and the University of New Mexico (UNM). UNM had advised they plan to terminate participation in the Cooperative. Nothing in writing had been received from UNM terminating their participation. AMAFCA, COA, and NMDOT have all signed the Letter of Concurrence.

The City of Albuquerque is working with the US Geological Survey on a Joint Funding Agreement for the gage stations.

AMAFCA issued an On-Call task for storm water sampling to Bohannon Huston, Inc. (BHI) and Daniel B. Stephens & Associates (DBSA).

AMAFCA also issued an On-Call task to NCS Engineers for continuous Dissolved Oxygen (DO) and temperature monitoring data collection.

Both teams completed a review of the field equipment. The AMAFCA equipment inventory should be updated in August 2014.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 13

Director Thomson asked how many sites are going to be monitored for composite samples. Ms. Stearns advised there are five locations; one at each location will be taken for the wet season and one for the dry season. The wet season samples have been completed and had been sent to the laboratory. These are separate from the e-coli testing which still need to be taken. A brief discussion on e-coli took place.

There are five sondes. The request for proposal called for three; however, the fee was low enough to include all five sondes in the task.

Sondes are at the following locations:

- Upstream of Embayment;
- Embayment;
- Central;
- Isleta Drain, and;
- Hwy 550.

Director Thomson asked where e-coli would be sampled. Ms. Stearns advised that AMAFCA is required to test the Rio Grande upstream and downstream once per year. AMAFCA can do it as often as they want. A discussion on e-coli took place.

16. Field Highlights

a. Construction Report

The memo from Mr. Kurt Wagener, AMAFCA Field Engineer, contained a summary of current construction projects.

Director Thomson asked about the Boca Negra Dam comment on issues with construction of dam. Mr. Wagener advised that at one area, the embankment is 0.4 feet too low, the emergency spillway is approximately 0.4 feet too low, and it is about 20 feet too long. AMAFCA needs to model the dam for the 100-year event for the Letter of Map Revision (LOMR), as per the four party agreement with the City. The Board had approved a task order to Wilson & Company and they have completed the Literature Review. AMAFCA has a meeting with Mr. Curtis Chernie. Wilson will need to model the dam for the Probable Maximum Precipitation (PMP) and the 100-year storm. Part of the modeling will tell AMAFCA if the dam is acceptable as constructed. If the dam has to be raised and it is within the 0.4 feet it is the responsibility of the contractor. If it needs to be raised more than it will probably be negotiated and the costs shared. The original agreement was in 2005 and within nine years, many things have happened. The flows need to be identified. Wilson is in the process of running the models. AHYMO 97 will be used since it was



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 14

built under the same program and the City agreed that since FEMA still accepts AHYMO 97 it would be submitted for this project.

b. Field Report

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

The Board viewed various videos from the July 15 and 16, 2014 rain events.

The slides opened with a picture of a frog that appeared very happy with all the rain. The slide presentation covered some of the following: Final inspection of the floor overlay of the Agency and Area-Wide Project – all of the work for COA/DOT is now complete. Calabacillas Grade Control Structure 1a – showing grouting work at the downstream wall and bank protection work, as well as the after pictures from the recent rainstorm. It is the contractor's responsibility to get their work back where they were after a water event. Calabacillas Grade Control Structure 7a – completed a couple of weeks ago. Seeding done on 7-3 for the project. Mr. Wagener noted that there is degrading happening so this structure really needed to be done. Concrete ramps coming in to Black's Diversion Channel. Miscellaneous Construction projects at Ladera Dam 13 and the ported structures for Water Quality, and Swinburne Dam. The Bear Canyon Trail that is licensed to the City showing where the trail was in bad shape. Juan Tabo Hills in the Tijeras Arroyo where it was shotcreted. The Board has agreed to take this for maintenance when complete. AMAFCA crew doing work in a number of locations, including were the Gun Club Lateral over topped and the crew was helping MRGCD to pump water out of a citizen's yard. The slides closed with a picture of a bear paw print from the Black Diversion Channel on Albuquerque's west side.

17. City of Albuquerque Projects Update

a. Tower Road Storm Drain – Funding Agreement Update

Mr. Bradley Bingham advised that Mr. Kevin Daggett with COA and Mr. Roger Paul with Bernalillo County were present. This will be a three party agreement for a regional facility. The County is working on the Bridge Corridor Plan, which Tower Road is an integral part. Flood plain removal is a big factor. The County will be doing in-kind services that may be in the form of construction management, procure design, bidding services, etc. The last estimate was done about four years ago. The cost estimate will need to be refined before officially bringing to the Board. Staff estimates the project to be about \$1.8M.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 15

b. Marble Arno Pond – Project Update

AMAFCA has a meeting scheduled July 24 with the Director of Municipal Development of the City of Albuquerque to discuss the project. The City and AMAFCA are looking at getting this project built to alleviate flooding between Lomas and Central on Broadway.

18. Real Estate

a. Authorization to Sign Extinguishment of Declaration of Restrictions for Volcano Cliffs Unit 25

Mr. Jeffrey Willis, AMAFCA Real Estate Manager, advised that AMAFCA received a letter from Wilson & Company requesting that AMAFCA sign an Extinguishment of Declarations of Restrictions for Volcano Cliffs Unit 25. Boca Negra Dam is in the Unit 25, Volcano Cliffs Subdivision. The Declaration of Restriction for Unit 25 was signed and recording in the early 1970s. The restrictions are dated and could potentially conflict with the Volcano Cliffs Sector Plan adopted in May 2011, as well as potentially placing liens on Boca Negra Dam for utilities, roads, and infrastructure.

All documents had been sent to AMAFCA legal counsel for review. The review indicated that the major changes if extinguished will be that development will no longer go through an approval process with the architectural control committee and trailers and animals may be permissible on lots if permitted by the City's ordinances or state law. The other restrictions, even if extinguished, may be covered by state law or City ordinances.

Staff had recommended that the Board authorize the Executive Engineer to execute the Extinguishment of Declarations of Restrictions Volcano Cliffs Unit 25.

Chairman Brown asked what it would take to extinguish Declarations of Restrictions. Mr. Willis stated that signatures from 75% of property owners would need to be obtained. A discussion on the legal ramifications due to the wording of the document was discussed and whether this really needs action. Mr. Willis advised that there are only a dozen property owners. Based on the limited number of property owners in this area, Director Eichenberg made a motion that the Board authorize the Executive Engineer to execute the Extinguishment of Declarations of Restrictions Volcano Cliffs Unit 25. Director Lyon the motion, which passed (5-0).



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 16

19. AMAFCA Policies

a. AMAFCA Urban Flood Policy

Mr. Lovato presented the modified policy. The policy will standardize terminology used by AMAFCA, the City of Albuquerque, and Bernalillo County, and create standard guidelines used by the Federal Emergency Management Agency (FEMA) as part of the Hazard Mitigation Grant Program (HMGP). The HMGP promotes and subsidizes mitigation measures to reduce flood risk. The policy identifies how AMAFCA identifies hazards. For this reason, local emergency managers from Bernalillo County and the City of Albuquerque have identified a lower threshold for a flood risk in the urban area. The AMAFCA Urban Flood Policy addresses the lower threshold to ensure that AMAFCA resources are efficiently deployed and adequate warning is issued in a timely manner.

The new Urban Flood Policy differs from AMAFCA's current practice, which is to defer to the New Mexico Office of the State Engineer Dam Safety Bureau's definition of flood risk and evacuation. Dams classified as high-hazard require that the Probable Maximum Precipitation be used in the design of the emergency spillway and, by extension, the inundation mapping from a dam breach. Using this definition, in Albuquerque, the rain event that would trigger an emergency would be between 17 to 22 inches of rain in 24 hours. The new definition would trigger action by AMAFCA between 1.83 to 2.6 inches of rain. The lower threshold allows emergency managers to inform the public much earlier than what is required by state statute.

Guidelines provided by the Office of the State Engineer state that local flood control authorities can craft their own policies regarding design, precipitation requirements and dam evacuation times. Therefore, if a local policy exists, the Office of the State Engineer (OSE) will defer to requirements in the policy.

The policy allows AMAFCA to establish its own criteria to designate a smaller storm event to initiate emergency actions and to prepare the subsequent mapping that will be included in Emergency Action Plans (EAPs). The smaller storm event meets the needs of the local emergency responders and managers who need maps that allow them to focus their resources at locations prone to flooding (100-yr floodplains) and retreat as necessary as the flooded areas increases.

In many previous flooding events, AMAFCA dams operated properly, yet the downstream facilities were at capacity.

AMAFCA has other facilities (channels, conduits, ponds, etc.) besides jurisdictional dams. It is prudent to have an Emergency Action Plan that is consistent for any type of facility. AMAFCA has coordinated with the City of Albuquerque and Bernalillo County Emergency Operations Center personnel to produce the Hazard Specific Flood Incident Annex (HSFIA). The HSFIA has been



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 17

referenced in the AMAFCA Policy; it contains emergency response procedures for any facility and mapping of areas prone to flooding (100-yr and 500-yr floodplains). The policy also establishes criteria for format, base flow, debris bulking, and a procedure to address multiple in-line facilities.

Staff had requested that the Board review and comment on the draft AMAFCA Urban Flood Policy.

After a discussion on legal ramifications it was noted that Mr. Marcus Rael with Robles, Rael and Anaya is reviewing the policy. Mr. Wagener pointed out that AMAFCA is required by law to have an Emergency Action Plan; however, no mapping has been approved. Director Eichenberg asked how AMAFCA notifies the public. Mr. Lovato responded that AMAFCA would call 911. At that time the emergency managers inform the public and the flood-fighting annex will kick in; AMAFCA becomes an asset.

20. Unfinished Business

Closed Session – to revisit Item 12 Proposed Grant of Drainage Easement on Tract 4 of Piedras Marcadas Channel and Detention Dam

Director Eichenberg asked that Item 12. Proposed Grant of Drainage Easement on Tract 4 of Piedras Marcadas Channel and Detention Dam be revisited by the Board. The direction provided to staff earlier in the meeting is not a fix and only a Band-Aid for the community. After further discussion, the consensus of the Board was that a Closed Session was prudent.

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 a possible acquisition of lands. No decisions were made. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chairman Brown closed the meeting at 12:50 p.m. Chairman Brown reopened the meeting at 1:19 p.m. Director Eichenberg made a motion that the meeting be re-opened, stating a possible acquisition of lands purchase was discussed in the closed session, and that no decisions were made. Director Hernandez seconded the motion, which passed unanimously (5-0), on a roll call vote.



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
July 24, 2014**

Page 18

21. New Business

None.

22. Adjourn

There being no further business to come before the Board, Chairman Brown adjourned the meeting at 1:20 p.m.

Bruce M. Thomson, P.E., Secretary-Treasurer, 8/28/14

Recorded by Guylene Harris, Executive Administrative Assistant