



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
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1. Call to Order and Roll Call

Chair Brown called the Regular Board Meeting to order at 9:59 a.m. Thursday, January 22, 2015. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Tim Eichenberg Director Cynthia D. Borrego Director Deborah L. Stover Director Bruce M. Thomson arrived at 10:04 a.m.
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

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated that late mailout memos had been provided for agenda items 10a, 11a, 13a, 14a, and 17b. Director Borrego advised that her tablet was not working and she could not pull up the agenda and items. A package was provided to Director Borrego at the meeting. Mr. Lovato stated that AMAFCA does not have wi-fi for various security reasons. He reminded the new Directors to submit their preferred contact information so that AMAFCA would have the current information on file and enable staff to provide information through the proper channels.

Director Eichenberg made a motion to approve the agenda. Director Borrego seconded the motion, which passed unanimously (4-0).

3. Meetings Scheduled

- a. **February 26, 2015, 10:00 a.m. – Regular Meeting**
- b. **March 26, 2015, 10:00 a.m. – Regular Meeting**
- c. **April 23, 2015, 10:00 a.m. – Regular Meeting**



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No changes were made to the meeting schedule as presented. Chair Brown stated that Regular Board meetings are generally held on the fourth Thursday of each month. Should issues arise with the Board during the year the dates may change.

4. Election of Officers

- a. Chairman**
- b. Vice Chairman**
- c. Secretary-Treasurer**
- d. Assistant Secretary-Treasurer**

After a short discussion pertaining to delaying the Election of Officers, Director Eichenberg nominated the following slate of officers: Ronald D. Brown as Chair, Bruce M. Thomson as Vice Chair, Tim Eichenberg as Secretary-Treasurer, and Cynthia D. Borrego as Assistant Secretary-Treasurer.

Director Eichenberg made a motion that nominations be closed. Director Borrego seconded the motion. The motion to close nominations passed (4-0).

The Board then voted on the nominated slate of officers. Approval of the proposed slate of officers passed (4-0). The new Board officers, who took office immediately, were:

Ronald D. Brown, Chair
Bruce M. Thomson, Vice Chair
Tim Eichenberg, Secretary-Treasurer
Cynthia D. Borrego, Assistant Secretary-Treasurer

Director Thomson arrived right after the close of above nominations. He did not have an issue with his position on the AMAFCA Board.

- e. Board appointments to the MRCOG Board**
 - o MRCOG Executive Board**
 - o MRCOG Board of Directors**
 - o MRCOG Water Resources Board**
 - o MRCOG Metropolitan Transportation Board**

Chair Brown made the following appointments to the MRCOG Boards as follows:

MRCOG Executive Board:	Chair Ronald D. Brown
MRCOG Board of Directors:	Director Deborah L. Stover
MRCOG Water Resources Board:	Director Bruce M. Thomson
MRCOG Metropolitan Transportation Board:	Director Cynthia D. Borrego



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All so appointed agreed to serve. AMAFCA's current term on the MRCOG Executive Board runs through June 30, 2015. AMAFCA alternates fiscal years on the Executive Board with the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA). SSCAFCA will have the MRCOG Executive Board seat July 1, 2015 through June 30, 2016.

5. Items from the Floor/Public Comment

No one signed up for public comment.

6. Approval of Resolution 2015-1, Open Meetings Standards

Chair Brown stated that the Resolution reflected the dates that are to be considered the normal meeting schedule during the year.

Director Eichenberg made a motion that the Board approve and adopt Resolution 2015-1, Open Meetings Standards, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Thomson seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

7. Approval of Minutes

a. December 18, 2014 Regular Meeting

Director Thomson asked that a minor change be made and referred to page 15, Item 19c., last sentence in the **KAFB Drainage Update**. He asked that the minutes reflect a change in wording as follows: Mr. Wilson, KAFB Civil Engineer, advised that perhaps a National Guard unit could come in and do the training and it would be considered an emergency response.

Director Eichenberg made a motion to approve the minutes as amended. Director Thomson seconded the motion, which passed (5-0).

b. January 2, 2015 Special Meeting

Director Borrego made a motion to approve the minutes of the January 2, 2015 Special Board Meeting. Director Thomson seconded the motion, which passed (5-0).



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8. Financial Matters

a. Approval of December 2014 Expenditures

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the December 2014 Expenditures. There were no questions.

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

b. Bank Reconciliation Fiscal Agent Funds

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the Bank Reconciliation Fiscal Agent Funds. There were no questions and no Board action was required.

c. Investment Report for November 2014

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the Investment Report for November 2014. No Board action was required. Director Borrego asked for an explanation of the Contingency Fund. Chair Brown stated that the fund consists of several categories. He further stated that the Board will go into more detail during the upcoming Board meetings. This line item is used for emergency repairs and other unknown occurrences. Ms. Jeffries mentioned that on the Expenditure Report that is provided has the detail for the Contingency Fund.

d. Financial Position Recap December 16, 2014 through January 15, 2015 & Forecast January 16, 2015 through February 15, 2015

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, presented the December 2014 Expenditures. Ms. Jeffries advised that the Forecast for January 16 through February 15, under the Operating Fund, recommended action of \$250K included a payment to CoA for three pay periods. The Construction Capital funds forecast included \$650K for pay estimates for the NDC Bathtub, Calabacillas Arroyo, Raymac Dam Outfall, and various engineering and management services. Under Debt Services there is an interest payment on the Bonds for \$387K that is due on February 1, 2015. Interest payments are due February 1, 2015 and August 1, 2015.

Responding to a question from Director Thomson, Ms. Jeffries advised that the highest property tax collections occur in December and May. AMAFCA received the December payment on January 20, 2015. \$2.9M was invested in LGIP and enough was kept in the checking account to make the February 2015 Bond interest payments.



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

e. Mid-Year Budget Recap Fiscal Year 2015 Operating Budget

Ms. Irene Jeffries, AMAFCA Finance and Administration Manager, stated that revenues on the Mid-Year Budget Recap for the Operating Budget revenues would exceed budget. With the receipt of the property tax that was forecasted and received AMAFCA will be at 62% of budget for revenues. She further pointed out that Salaries and Miscellaneous Employment will be overrun due to the retirement of the Finance and Administration Manager.

Chair Brown opined that the Budget is well prepared and delineated. Mr. Lovato stated that there would be a Resolution brought to the Board to address the transfer of funds from Contingency to the Operating Budget as discussed, for their approval, at the next Board meeting.

9. Legal

a. Status Report

Attorney Vanessa Chavez stated that the memo on 9a pertained to various legal matters. There were no questions from the Board.

10. Executive Engineer's Report

a. Notification of Past Month's Activities

Mr. Jerry Lovato, AMAFCA Executive Engineer, thanked AMAFCA staff for their hard work during the time he was out of the office. Mr. Lovato's wife had knee replacement surgery and then he consequently got sick. While he was absent, staff did a fantastic job keeping the office running, dealing with and addressing various needs of the constituents, and keeping him updated. Work was done efficiently and all issues that arose were handled accordingly.

Mr. Jerry Lovato, AMAFCA Executive Engineer, highlighted significant activities of the past month:

City of Albuquerque (CoA) – Bear Canyon Arroyo: The AMAFCA Board of Directors instructed staff to contact the CoA concerning the possibility of a joint project to address erosion along the portion of the Bear Canyon Arroyo between Moon and Eubank. This portion of the Bear Canyon Arroyo includes a multi-use trail along the north side of the channel and includes a number of grade control drop structures. The channel is a soft bottom naturalistic arroyo that has riprap protected side slopes. The area had stabilized



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over time, but requires yearly maintenance. The area had been identified as a possible aquifer recharge zone and is currently being studied by the Albuquerque Bernalillo County Water Utility Authority (ABCWUA).

The possibility of placing concrete channel lining in this section of the arroyo was discussed with CoA staff. The general belief is that the soft lined channel is better for water quality and aquifer recharge than a concrete lined channel. Staff will continue to discuss possible regional water quality features that can be built in this section of the Bear Arroyo that will minimize damage to the multi-use trail and maximize the removal of pollutants in storm water.

- **Kirtland Air Force Base (KAFB) - Drainage at Gibson and Louisiana:** During the December Board Meeting, the Board requested legal counsel check into the jurisdiction of the New Mexico Office of the State Engineer (OSE) concerning the 96-hour rule. State statute does exempt certain projects on federal reservations and projects built by the federal government. In particular, the Dam Safety Bureau does not have jurisdiction over federal dams or dams built on federal reservations. The 96-hour rule pertains to water rights and is enforced by the New Mexico State Engineer. Counsel continues to research the jurisdiction of the OSE in this instance.

The Board also questioned what responsibility KAFB had today to prevent flooding in subdivisions built along the base perimeter after the base was established. KAFB is responsible for flows that exceed historical flows rates and/or are re-directed. In the case of the subdivisions, along the west perimeter, KAFB has removed base housing that once metered flows to the west. The historic flow rates (when base housing existed) are lower than rates today causing the existing storm drain system to be over taxed and ineffective.

- **The Pueblo of Sandia - North El Camino Diversion:** Staff have been working with the Pueblo of Sandia for three years to determine joint interests concerning water quality, water conservation, avulsion one, and the North El Camino Arroyo. Pueblo Staff have been asked by Pueblo Council to provide a briefing and update at the February Council meeting. The majority of the work to date had been on redesigning avulsion one to provide protection of cultural resources in the area and to provide flood protection downstream. In addition, AMAFCA had provided design concepts to the Pueblo concerning channelizing portions of the El Camino and providing water quality structures on the arroyo before it enters the North Diversion Channel (NDC).

Federal Emergency Management Agency (FEMA) Flood Clean Up: The Pueblo is currently working with the Federal Emergency Management Agency (FEMA) to fund the removal of sediment that damaged flood control facilities west of I-25. The Pueblo had



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requested that AMAFCA allow the stockpiling of sediment on AMAFCA right-of-way near Roy Road and the NDC. The clean sediment would be stockpiled near Balloon Fiesta Park and would be later sold, by AMAFCA, for a dollar a yard. The Pueblo estimates that 35,000 cubic yards of material may be removed this summer. The area designated by AMAFCA is only one of many sites that will be available to the contractor removing the sediment.

- **Bernalillo County (BernCo) - South Second Street:** AMAFCA staff has been meeting with BernCo and Rail Runner staff to discuss a joint project along South Second Street that would address flood problems identified in the AMAFCA South East Valley Drainage Water Quality Management Plan from 2012. The Rail Runner is ready to discuss the possibility of using its rights of way to allow placement of storm drain trunk line facilities. This work would allow storm water to be collected and diverted to Second Street where it would then be directed into the South Diversion Channel.

The intersection of Desert and Second Street will be redesigned to address safety issues. The Rail Runner and the New Mexico Department of Transportation (NMDOT) have a lot of right-of-way in the area and both are willing to work with BernCo and AMAFCA to provide drainage easements to address flooding problems in the area. Staff will brief the AMAFCA Board at the February Board Meeting concerning the project and outline the funding agreement to design and build needed regional flood control projects.

- **AMAFCA - North Diversion Channel Outfall Grade Control Structures Project:** On January 7, 2015 AMAFCA was notified by the Contractor of a changed condition concerning the excavation of material on the project. The NDC Outfall Project requires the removal of dumped rip rap, grouted rip rap, and the excavation of approximately 40,000 cubic yards of material from the end of the concrete channel. During the removal of rock and soil, the existing ground was found to have a high moisture content (muddy). The Contractor is working seven days a week attempting to dry out the material to no avail.

On January 9, 2015, Mr. Lovato and Mr. Kurt Wagener, AMAFCA Project Manager, met on site with the Contractor, Design Engineer, and the Geotechnical Engineer. The amount of moisture in the ground exceeded the soils ability to support any fill. Removal of the unsuitable material was considered, but the amount of excavation needed was excessive and a “bottom” could not be determined. Chemical treatment and the use of large rock to stabilize the area were considered, but equipment, which needed to facilitate that treatment could not travel through the mud. The use of a mud slab “un-reinforced concrete” was an alternative that would allow the contractor to build a foundation that would bridge the bad material and support the required engineered fill.



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The contractor worked Friday, Saturday, and Sunday to prepare the area for the mud slab, which was placed by a concrete pump on Monday. Execution of the change order and the work was essential to protect the project from winter storm runoff that was forecasted.

The Contractor's price to place the concrete for the mud slab was \$161.36 a cubic yard, which included all labor and materials. The total cost of the mud slab to protect the project and allow engineered fill to be placed was estimated to be about \$60,000.00. This amount is greater than the Executive Engineer's authority for a change order. However, the AMAFCA Chair was updated on the situation and work needed to be done by Mountain States or the entire project would be lost.

Director Thomson asked about the status of the property next to the Holiday Inn Express adjacent to the AMAFCA building. Mr. Lovato advised that during discussions with the hotel last year, they suggested that he get back in touch in 2015. Mr. Lovato had contacted them and is expecting some follow-up information. The original plan was to purchase the entire track, but the hotel has come back with a counter offer. The purpose of obtaining additional land is to add 22 parking spots for AMAFCA staff. As it stands now there is not enough parking to accommodate all staff. Mr. Lovato hopes to have more information to present at the next Board meeting.

b. Notification of On-Call Services Task Orders

Mr. Lovato referred to his memo for the task orders that had been issued the prior month and gave further information to the Board. There were no questions.

c. Board Resolution Update – AMAFCA Board of Directors Canvass

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated for the record that AMAFCA received the official Board of Director's Canvass from the Secretary of State at 1:03 p.m. on December 18, 2014. At the December 18, 2014 Board meeting Resolution 2014-17, 2014 Board of Directors Election Canvass, was adopted, based on the anticipation and condition that the required certification of the canvass was received from the Bernalillo County Clerk.

11. The Rio Grande Wildfire and Water Source Protection Collaborative

a. Consideration to adopt Charter

Mr. Jerry Lovato, AMAFCA Executive Engineer, stated the AMAFCA Board of Directors were briefed by Ms. Laura McCarthy, Director of Conservation Programs, The Nature Conservancy, during the September 2013 Board Meeting concerning the Rio Grande Wildlife and Water Source Protection Collaborative. Ms. McCarthy's presentation included the creation of a Water Fund to



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provide for a comprehensive water security plan for connected watersheds in the middle Rio Grande, Jemez, Sandia, and Sangre de Cristo Mountains. The fund would be established to generate sustainable funding for a ten-year program of large-scale forest restoration treatments that will mitigate the threat of future wildfires, and protect streams that flow into the Middle Rio Grande. The Water Fund will help secure municipal and agricultural water sources, restore streams, improve fish habitat, protect recreation and tourism from wildfire closures, create new jobs, and supply wood for energy, as well as other products.

AMAFCA is very interested in the condition of the forest along the west face of the Sandias as many AMAFCA facilities along the east side of the Rio Grande would be detrimentally affected if portions of the Sandia Mountains were damaged by fire. In addition, any fires north of the metropolitan area, would affect flows in the Rio Grande, which may affect discharge from the North and South Diversion Channels.

Staff had recommended that the Board adopt the Charter to collaborate with the Rio Grande Water Fund initiated by the Nature Conservancy. There are no financial implications for AMAFCA at this time.

Director Thomson stated that the United States Geological Survey (USGS) had done a forest fire vulnerability and debris flow study on the Sandia and Manzano Mountains. They found the western face of the Sandia Mountain was very vulnerable as it is wilderness, very steep, has not been thinned, and has not been impacted by fire in many years. The debris flow could be quite severe. Chair Brown asked if there was an update on the priority of Ms. McCarthy's attempts in getting cooperative arrangement on the plan. Director Thomson advised that one component is that the Charter is under the umbrella of the Rio Grande Water Fund. Their objective is that improved forest management will result in reduced fire, reduced pest, reduced catastrophic flood potential, and will improve the volume of runoff as less water will be impacted by the trees. They are looking at both government and non-government organizations to fill the Charter. They will be going to the New Mexico State Legislature with a substantial request to take away some of the forest management strategies. He further stated that legal counsel had looked at the wording and did not find any issues. Chair Brown asked that the Legislative Liaison keep track of this as well. There was further discussion regarding thinning of the forest, financial difficulties of thinning, and the value to the community.

Director Eichenberg asked for clarification on whether it is the east or the west face of the Sandia Mountain. Mr. Lovato responded that it is the west face of the Sandias.

Director Thomson made a motion that the Board adopt the charter as presented to collaborate with the Rio Grande Water Fund initiated by the Nature Conservancy. Director Borrego seconded the motion, which passed (5-0).



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12. AMAFCA Telemetry Project Phase 1 – Authorization of the Design and Construction Management Engineering Services Agreement with URS

Between his presentation and memo, Mr. Kevin Troutman, AMAFCA GIS Manager, provided the following:

Recent rainfall events over the past few years have identified a need for remote automated monitoring of AMAFCA facilities for operational purposes. Phase 1 of the Telemetry Project will install instrumentation at some of the high risk and high visibility locations. Also included would be a base station infrastructure and test potential communications, such as cellular data or radio.

At the November 20, 2014 meeting, the Board approved the selection of URS Corporation for engineering services for the AMAFCA Telemetry Project Phase 1. The project includes the design and construction management engineering services.

Tasks included in this work include identification of the types and locations of equipment as well as working with the National Weather Service to ensure access to AMAFCA rainfall data. Plans and specifications will be developed for each site, including communications analysis. URS will prepare an engineer's estimate and recommend an award of bid after the bidding process is completed.

The project will install water depth monitoring at all five gated dams, install flow monitoring, and either still imagery or motion video at 2 channel locations. Rainfall gauges will be located at all seven locations. The following is a summary of the tasks listed in the Agreement with associated fees:

- A. Design of the AMAFCA Telemetry Project Phase 1 to include 30%, 65%, and 100% design to include bidding and up to recommendation of award
 - Time and Materials \$198,700.00

- B. Construction Management to include Geotechnical Testing
 - Time and Materials TBD upon completion of the design

The agreement had been reviewed by the both URS and AMAFCA attorneys. Staff had recommended that the Board approve the Agreement with URS Corporation to provide Design and Construction Management Engineering Services for the AMAFCA Telemetry Project Phase 1 on a time and materials basis, not to exceed \$198,700.00, excluding New Mexico Gross Receipts Tax.

Director Thomson asked if the \$200K was only for the Design. Mr. Troutman replied that it is just for the Design and bid services. Mr. Troutman further stated it is not part of obtaining the software,



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equipment, etc. Those items will all be part of the bid package. Director Thomson stated that other agencies, as well as the Water Authority, use a system that is very similar. Mr. Lovato advised that the contract is for time and materials. He further stated that AMAFCA does not want to purchase a product and find out that it will not be supported. The equipment that would be utilized could be something as simple as a cell phone to something more complex such as purchasing a radio tower. He gave a current example of the fleet tracking system that AMAFCA currently uses that will be obsolete in two years. Mr. Troutman noted that the information is in-line with the blind cost estimates that were received with the request for proposal (RFP). Director Thomson asked how many estimates were received. Mr. Troutman replied there were four estimates turned in with the RFPs. Mr. Troutman had spoken with the URS project manager and he is well aware that this is a time and materials project. Chair Brown asked who will be the project manager. Mr. Lovato responded that Mr. Troutman is the project manager.

Director Eichenberg asked if there is a certain time the status of the project can be brought back to the Board. Mr. Troutman replied that at 65% AMAFCA would know what is happening. Director Eichenberg opined that he would be uncomfortable going 65% and asked if the Board can get a report at 35% before spending 2/3 of the budget. Chair Brown shared the same concern. After further discussion, Mr. Lovato responded that the contract will be amended at A.1.g. to state the following: Prepare a report for the AMAFCA Board of Directors regarding the status of the project and updated project cost estimate. The AMAFCA Board of Directors will give notice to proceed for Phase A.2. Director Thomson questioned A.1.e. The current wording states "Coordinate with National Weather Service to develop a method of providing rainfall data that is compatible with NWS systems." He would like to add the USGS and local emergency managers to the coordination effort. After further discussion it was suggested that A.1.e. state the following: Coordinate with National Weather Service, United States Geological Survey, and local Emergency Management to develop a method of providing rainfall data that is compatible with their respective systems. Chair Brown advised these two items would need to be corrected before the Board would sign the contract.

Director Stover made a motion that the Board approve the Agreement with URS Corporation, as amended, to provide Design and Construction Management Engineering Services for the AMAFCA Telemetry Project Phase 1 on a time and materials basis, not to exceed \$198,700.00, excluding New Mexico Gross Receipts Tax. Director Thomson seconded the motion, which passed (5-0).



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13. Southwest Valley Flood Reduction Project

a. SWVFRP Phase IIA Pond 187 Outfall - Authorization of the Design and Construction Management Engineering Services Agreement with Larkin Group

Mr. Bingham referred to the exhibit showing the location of the area. Mr. Lovato presented various surge pond locations that impact this project. He advised the Board that there are actually four different structures for this project.

Between his presentation and memo, Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, provided the following:

At the December 18, 2014 meeting, the Board approved the selection of Larkin Group NM, Inc. for engineering services for the Pond 187 Outfall Project. This is Phase IIA of the Southwest Valley Flood Reduction Project. The contract provided to the Board contained modifications for the addition of negotiated fees and defined deliverables for Task A.3 for the outfall pipe from Pond 187. There were five separate design tasks: construction management of the Pond 187A, the excavation project, survey, subsurface utility engineering, and geotechnical testing.

Numerous factors contributed to the overall complexity associated with designing, bidding, and constructing this project. The agreement had been reviewed by legal counsel for both AMAFCA and Larkin Group.

Staff had recommended that the Board approve the Agreement with Larkin Group NM, Inc. to provide Design and Construction Management Engineering Services for the Pond 187 Outfall Project on a time and materials basis, not to exceed \$322,372.00, excluding New Mexico Gross Receipts Tax.

Chair Brown stated that the contract that was part of the original Board mailout did not include costs. The late mailout package included the revised contract that shows the delineation of costs.

Director Eichenberg asked about the costs. Mr. Bingham broke down the estimates as follows: \$240K Design, \$40K Construction Management, \$30K Survey, \$6K Testing, \$30K pre-bid activities, and \$10K for public meetings. Mr. Lovato noted that the project needs to be done rather quickly. Once the project starts, it needs to be completed in three months since the area will only have one way access in and out of the area. He pointed out the areas that BernCo will be working on for their project, including the Rio Grande High School swimming pool. Mr. Bingham stated that the project is a total of five projects and not just one. Director Eichenberg asked why AMAFCA's estimate was coming in under bid as opposed to exceeding it. He inquired if it was due to the economy improving, if there was more work out there, etc. Mr. Bingham advised that



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he spent almost an entire week and weekend with both Mr. Andrews and Mr. Banks from the Larkin Group to come up with a plan and schedule that was reasonable and workable. After further discussion, Director Eichenberg asked Mr. John Andrews from Larkin Group if he found the project to be more difficult than previous projects. Mr. Andrews responded that it was a difficult project; however, they are committed to make it work. He reiterated that the project is not one project, but five projects. He acknowledged that the schedule is aggressive, but they are committed to make it work. He stated that Larkin is honored that they were chosen for the project. Chair Brown asked if Mr. Bingham is the project manager. Mr. Bingham responded, yes.

Director Eichenberg made a motion that the Board approve the Agreement with Larkin Group NM, Inc. to provide Design and Construction Management Engineering Services for the Pond 187 Outfall Project on a time and materials basis, not to exceed \$322,372.00, excluding New Mexico Gross Receipts Tax. Director Thomson seconded the motion, which passed (5-0).

**b. SWVFRP Phase IIA - Authorization to Appraise Parcel Adjacent to Pond
187A - Alternative alignment**

Between his presentation and memo, Mr. Jeffrey S. Willis, Real Estate Manager, provided the following:

On April 26, 2012, the Board authorized the AMAFCA Real Estate Manager to obtain an appraisal on the necessary easements for the above referenced project.

As part of the pre-design review, an alternative alignment had been identified that may provide overall cost savings to the project. The alternative alignment utilizes the entire Tract B-2, for placement of two 54 inch pipes and use of the parcel as a swale between Pond 187A and Pond 187 for water quality purposes. Tract B-2 is currently for sale.

The Board authorization to appraise in April 2012 was only for easements for the project. It is anticipated that Pond 187A will be in design within the next month. Staff had recommended that the Board authorize the AMAFCA Real Estate Manager to obtain an appraisal of Tract B-2.

Director Eichenberg asked for the listing price. Mr. Willis responded, \$67K. Chair Brown asked the size. Mr. Willis replied, 7/10 of an acre, which is approximately \$1.90 per square foot. He further stated that the property was valued at \$2.50 per square foot. Director Eichenberg referred to legal and asked why AMAFCA would not just purchase the property as opposed to spending 5% for an appraisal. After further discussion it was agreed to purchase as opposed to having someone else purchase the property in six months.



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Chair Brown made a motion for AMAFCA staff to enter into contract to execute a purchase agreement for the amount of the listing price, subject to an appraisal. Director Eichenberg seconded the motion. The motion passed unanimously (5-0).

14. AMAFCA Joint Projects

a. North Domingo Baca Dam – Notification of Joint Project with Bernalillo County

Between his presentation and memo, Mr. Jerry Lovato, AMAFCA Executive Engineer, provided the following:

BernCo, working with Mr. Kurt Wagener, AMAFCA Field Engineer, had proposed a joint maintenance project that would import material needed for the BernCo field extension and the AMAFCA grade control structures. AMAFCA will use its fleet to transport the material to the site and BernCo will place and compact the material. It is estimated that four to five thousand yards of material will be placed. This joint project will be run as an emergency field exercise, very similar to the work done by both AMAFCA and BernCo on the Los Padillas Extension Project completed in 2013.

AMAFCA maintenance crew and BernCo crews will move an estimated 5,000 yards of material. The outlet pipe from North Domingo Baca Dam exists west of Eubank into property owned by AMAFCA. The flow travels on the surface until it enters an inlet structure connected to a 96-inch storm drain that travels to Kinney Dam. The channel is a soft bottom naturalistic arroyo that requires yearly maintenance. Maintenance consists of filing in erosions and removing sediment from downstream structures and re-depositing the material upstream. The AMAFCA crew had installed dumped rock groins to control erosion in the past, but those structures need to be removed and upgraded. Mr. Lovato referred to the aerials to show its location and what the impact will be. All fill material will come out of the North Domingo Dam and will allow for future sediment storage.

To accomplish this work, the AMAFCA crew will need to import approximately 2,000 cubic yards of material and rock to build three permanent drop structures that will abut the softball fields to the south.

The property has an encroachment agreement for recreational facilities with BernCo. BernCo has preliminary plans that include a field extension that will require additional fill.

Chair Brown acknowledged Mr. John Barney, BernCo Parks and Recreation Manager. Mr. Barney stated that BernCo in conjunction with Altamont Little League are working to update the facilities overall to include extending approximately 30 feet and renovate the field. Chair Brown



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stated that he has a personal, but not financial interest in the project. He further stated that Altamont Little League has four fields that are virtually the same size for 7-12 year old players. He described the size of fields, what the older players play on, and how a 225-foot fence is needed so that field will be able to have 80 to 70 foot bases. With the modifications, the area can be set for different size bases. Most of the little league facilities are not up-to-date and cannot accommodate play. In the fall, most of the youth play in Rio Rancho where they can set the fields for the different sized bases needed.

Director Eichenberg asked if the parking would change. Chair Brown replied, no. There is a paved area as well as overflow parking. Director Thomson asked if the flow of the arroyo would change. Chair Brown advised it would be tweaked about 10 to 15 feet. Director Thomson asked if there will be temporary flood control structures. Mr. Lovato replied there would be permanent flood control structures as part of the AMAFCA project. Mr. Lovato advised that AMAFCA's only responsibility will be building up the embankment to put in the permanent drop structures. Mr. Barney provided the Board with additional information on what BernCo is doing in the area. Director Eichenberg thanked him and advised that the Board is only concerned in the flood control portion of the project.

Director Eichenberg asked if BernCo is sharing in the project. Mr. Lovato replied that BernCo is using their own crew and equipment.

**b. West I-40 Diversion Channel Phase IV – Consideration of Draft Agreement
Outline with the CoA for Design and Construction**

Between his presentation and memo, Mr. Jerry Lovato, AMAFCA Executive Engineer, provided the following:

AMAFCA and CoA continue to meet and discuss the construction of the West I-40 Diversion Channel Phase IV. The project is better served if AMAFCA manages the project. Management would include the procuring of design services and managing the construction project.

AMAFCA had identified the completion of the West I-40 Diversion Channel in the AMAFCA 2014 Project Schedule. The current AMAFCA construction budget would allow a total contribution up to \$2,200,000.00.

AMAFCA had received a financial contribution from private development as part of the Agreement for the Design, Construction and Construction Engineering Services for Drainage Improvements required by the West I-40 DMP between 98th Street and La Presa, including the Diversion of the Mirehaven Arroyo. The work identified in the agreement had been completed by AMAFCA.



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The proposed funding agreement between AMAFCA and the CoA would identify AMAFCA as the fiscal agent and project manager. The CoA would provide funding for the construction of the project as follows.

1. Project Construction
 - a. \$300,000.00 in FY-2016, after approved design

Chair Brown asked if the channel would accommodate a bike trail. Mr. Lovato responded, yes. Director Thomson asked what AMAFCA's cost will be. Mr. Lovato responded \$2.2M. Director Borrego asked if the project will be bid out. Mr. Lovato responded, yes.

Staff plans to have the draft agreement to the Board next month. Staff had requested the Board to review and provide input concerning the funding outline.

c. Marble Arno Pond – Consideration of Draft Agreement Outline with the City of Albuquerque

Between his presentation and memo, Mr. Jerry Lovato, AMAFCA Executive Engineer, provided the following:

AMAFCA and CoA worked together to develop the Mid Valley Drainage Management Plan (DMP) after the 2006 flood events that damaged the downtown area. The DMP identified a need for regional flood control surge ponds along Broadway to address flooding, in addition to upgrading the existing Broadway pump station.

In 2008 the estimated cost of reconstructing the existing Broadway Pump Station and providing the proper primary and backup power feeders was nearly \$17.6M. The 2013 cost was estimated to be \$23M, which included the cost of a half-acre of land that must be purchased from the United States Postal Service (USPS) for the electrical substation. The cost did not include additional required ponding, which was estimated to be close to 27 ac-ft. at a cost of \$5.8M. The total cost in 2013 to address inadequate storage and rebuilding the existing Broadway pump station to address reliability issues was \$28.8M.

AMAFCA had commissioned Molzen Corbin to craft a white paper on the cost of constructing a new pump station on a vacant lot east of the existing pump station rather than rebuilding the existing pump station. AMAFCA proposed to the CoA an alternative plan that would incorporate the needed storage in a new pump station constructed east of the existing pump station at Marble and Arno. The cost to build a new pump station, address power reliability, and provide required storage to address flooding in the Martineztown area was estimated at \$22M, for an estimated savings of \$6.8M.



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Highlights of a new pump station include the following:

- 30 AF wet-well, which equals wet-well storage and detention requirements needed somewhere within the basin
- Six new pumps with six new diesel generators, which would eliminate a possible single point failure
- Modern bar-screen and entrance works, which will reduce maintenance as compared to the existing or upgraded Broadway Pump Station
- Modern pump station control system would allow for a more efficient operation of the pumps
- Hydraulically improves the storm-drain system by diverting flows from Lomas and Arno, thus keeping it from overwhelming the Lomas and Broadway intersection
- Ability to reclaim the Post Office Pond as commercial property with an estimated savings of at least \$2M

AMAFCA has identified \$5M toward the Marble Arno Pond project in the AMAFCA 2014 Project Schedule. In addition, the Project Schedule identified \$1M for the purchase of right-of-way for master planned drainage facilities in the Mid Valley, including surge ponds. The current AMAFCA construction budget would allow a total AMAFCA contribution toward the project up to \$6M.

The CoA will continue with its due diligence concerning the purchase of the property. It has completed its Phase II investigation and has entered into negotiations with the Sandia Corporation.

The proposed funding agreement between AMAFCA and the CoA would identify the CoA as the fiscal agent and project manager. Management would include the purchase of the land, procuring design services, and managing the construction project.

AMAFCA would provide funding for the purchase, design, and the construction of the project as follows:

1. Land Purchase
 - a. AMAFCA would provide \$500,000 in FY-2015
 - b. AMAFCA would provide \$500,000 in FY-2016
2. Project Design
 - a. AMAFCA would provide \$500,000 in FY-2016
3. Project Construction
 - a. AMAFCA would provide \$2,500,000 in FY-2016, after approved design
 - b. AMAFCA would provide \$2,000,000 in FY-2017



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Once the project is completed and a Letter of Map Revision (LOMR) is approved, the temporary pond at Lomas and Broadway would be sold, per the existing agreement.

Staff had requested the Board to review and provide input concerning the funding outline.

Chair Brown advised that when AMAFCA purchased the property from the City it was not intended for the drainage pond to be the primary entrance to downtown. Director Thomson asked who will be maintaining the pump station. Mr. Lovato responded that the City has a contract with the Water Authority. Director Borrego asked when the environmental assessments will be completed. Mr. Lovato replied that they had been completed. There is an environmental issue currently that the CoA is well aware of. As part of Phase 1 and 2 there will be a monitoring well to take care of soil contamination. Mr. Lovato opined that the City and their property division have done a good job of protecting the City's interest in purchasing that piece of property.

More information will be provided to the Board in the next month or so. Chair Brown stated that consensus of the Board is to have staff proceed.

15. Legislative Liaison – Briefing on the 2015 New Mexico Legislative Session

Ms. Vanessa Alarid, of Alarid Consulting, briefed the Board on the current New Mexico Legislative Session and responded to numerous questions during her presentation. Part of her presentation covered the following:

January 22, 2015 is day three of the Legislative Session. House Democrats are the minority and the House Republicans are the majority.

The Speaker of the House is Mr. Don Tripp. He has appointed all the committee Chairman. There will be changes to composition, as well as the names of the committees. She went over the committees that will be removed and advised of some of the new committees. Ms. Alarid will be sitting down with the Agriculture and Water committee since that is of interest to the Board. She will be providing the Board with the new committees once they have been finalized.

The Governor's priorities remain, but she will now be focused on Transportation, which is new.

Chair Brown asked that Ms. Alarid track the Rio Grande Water Fund, which was part of Item 11 from earlier in the Board meeting. Chair Brown provided Ms. Alarid with a copy of the Collaborative Charter. Ms. Alarid asked if active participation is expected. Chair Brown responded, yes. He further stated that the Board would be open to the possibility of testifying.

There was a discussion regarding the cost per barrel of oil and the State's budget. There will be new revenue estimates out soon. Ms. Alarid stated she will keep the Board updated. Director



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Eichenberg asked if she got her information from the House Appropriations that met the day before. Ms. Alarid responded, yes.

Ms. Alarid asked the Board to let her know if there was a need from any Director for Capital Outlay projects in their Districts. She would be willing to engage in discussions. Director Eichenberg asked about what she had heard. Ms. Alarid advised that with the drop in the price of oil she is not sure what is available, but has heard that money is still out there. She further stated she would get information out to the Board on areas they would be interested in.

16. Field Highlights

a. Construction Report

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

b. Field Report

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

The slides opened with various pictures of the AMAFCA Board at the Special Meeting to swear in Directors-Elect, Deborah L. Stover from District 1 and Cynthia D. Borrego from District 2. Mr. Wagener included pictures of both former Directors Daniel Lyon and Danny Hernandez, who were honored for their service to their respective Districts at the December 2014 Board meeting. The slide presentation covered some of the following: various pictures of the High Desert Arroyos Inspection and Repair, AMFACA crew work at the following: South Pino – vegetation removal, NDC slope repair, railing repair at the South Diversion Channel Baffle Water Quality Structure, erosion repairs at the East Amole Surge Pond, pictures of old units #202 & #203, picture of Ms. Irene Jeffries handing off a check for one of the new units that was purchased, CoA utilizing S. Pino Dump Station, various slides of the Calabacillas Grade Control Structure 6a, Swinburne Dam Sediment removal, various slides of the SWVFRP project, Black Mesa Phase 1a, NDC GCS Project equipment crossing, as well as the Bathtub, Avenida Cesar Chavez Grate Replacement – video and pictures, Agency and Area Wide 2015 Design, and closed with pictures of the AMAFCA Snowman.



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17. Real Estate

**a. Sacate Blanco Diversion – Request Possible Land Exchange – Briefing by NIA
Maestas & Ward**

Between his presentation and memo, Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, provided the following:

AMAFCA owns a linear drainage facility through Tract A-1, of the Bulk Land Plat for Tracts 13-D-1 and Tract A-1. This AMAFCA facility is named the Sacate Blanco Diversion. Included in the Board mailout was a letter and exhibit provided by Maestas & Ward. Maestas & Ward represents the Salazar Family Trust, owner of Tract A-1.

The Salazar Family Trust, through Maestas and Ward, had proposed an exchange of land between AMAFCA and the Trust. The proposed exchange consists of exchanging the Secate Blanco Diversion land for a 100-foot wide linear strip of land along the southern boundary of Tract A-1.

AMAFCA staff had met with several of the owners of the Trust, as well as Mr. Keith Myer and Mr. Jim Wible from Maestas & Ward. AMAFCA staff explained that any property exchange could take a year or more and that the introduction of the proposal to the Board was the first step. The Board will have to declare the property as surplus, and any land sale or exchange will have to be approved by the New Mexico Department of Finance (DFA).

Mr. Willis advised that AMAFCA is in preliminary talks right now. Staff had recommended the Board discuss and provide guidance to AMAFCA staff so they may proceed with further discussion(s) with Maestas & Ward regarding the proposed land exchange. Representatives of Maestas & Ward and the Salazar Family Trust were present for any questions.

Chair Brown inquired about the fee to the triangler linear parcel. Mr. Lovato advised that when the area was undeveloped there was a wing wall. The wing wall once collected water from the arroyo, and then funneled it into the Amole Dam. Mr. Lovato further reiterated that the property would need to be deemed as surplus property. Director Eichenberg asked if the wing wall is collecting water. Mr. Lovato advised that the use of the wing wall is no longer needed since the storm drain funnels into the Amole Dam. Director Thomson asked if the wing wall does not serve a function any more what the purpose of the exchange is. Mr. Lovato stated that there still is some water, but in the future pipes can be run into other subdivisions.

Chair Brown asked if any of the representatives for the Sanchez Family Trust would like to provide any information to the Board.

Mr. Keith Myer from Maestas & Ward complimented Mr. Willis' explanation of the exchange.



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Director Eichenberg mentioned that he is aware that there will be an appraisal done and DFA approval would be needed. He asked if there is a subdivision in the works since that might be easier to justify the exchange. Mr. Keith Myer from Maestas & Ward replied, no. He advised that at present there is not a specific subdivision; however, the artifact that is there now does have complexity. He further stated it is easier to do it now and not have to deal with anyone else. Chair Brown opined he did not see why the Board could not look at a like exchange. In reality, no one will want to buy the property. Director Eichenberg opined that the value of the area through the piece of property would be enormous; however, he would not want to be one in front of development since AMAFCA has the property. He also stated that the approval process is extensive and AMAFCA will have a lot of work to do to get the exchange accomplished. Mr. Thomas Salazar, with the Salazar Family Trust, stated he is not aware of how valuable the area would be if privately owned. He personally likes the property and would not have any issues if an exchange did not happen.

Mr. Willis advised that there will be a before and after appraisal. Mr. Willis referred the Board to the aerial and went over the exact areas that are being considered for the exchange.

Chair Brown gave AMAFCA staff permission to proceed with discussions with Maestas & Ward and the Salazar Family Trust to see what can be done with a property exchange.

b. PNM – Request Grant of Easement

Between his presentation and memo, Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, provided the following:

In August 2014 PNM staff presented a request to the Board for two PNM easement crossings at the NDC. There would be new 115kv lines crossing the NDC, connecting to a new electrical switching station location at Richmond and American Drive Northeast. The new station would tie into existing lines on the west side of the NDC and route the new 115kv lines east to the new switching station.

PNM had requested easements for the new pole locations and power lines on the NDC. A temporary construction and access license will also be needed for construction of the new poles and lines, if the Board approved the project.

Mr. Willis stated that as written, staff could not recommend the PNM request for both an easement and a license for the same project. He presented the following two alternative options for Board review.

Option One: Consists of valuing the entire easement area needed for the project using standard easement valuation methods, as shown below. The pole footprints will be valued at 90% of fee



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value since they will occupy and use the land. The aerial crossing will be based on 10% of fee value since this will be an air space use.

Location	Area Size	Fee Value	Easement Value	Compensation
Pole 1	100 Sq. Ft.	\$12.00/Sq. Ft.	\$10.80/Sq. Ft.	\$1,080.00
Pole 2	150 Sq. Ft.	\$12.00/Sq. Ft.	\$10.80/Sq. Ft.	\$1,620.00
Line Crossing 1	11,853.50 Sq. Ft.	\$12.00/Sq. Ft.	\$1.20/Sq. Ft.	\$14,224.00
Line Crossing 2	11,058.50 Sq. Ft.	\$12.00/Sq. Ft.	\$1.20/Sq. Ft.	\$13,270.00
Total Compensation				\$30,194.00
Rounded Total				\$30,200.00

Option Two: Consists of the Executive Engineer issuing a utility license to PNM for the crossings and the pole locations for the standard fee of \$150.00 for the license and \$50.00 for the recording fee, based on Board Resolution 2006-8, approved by the Board of Directors June 2012.

Staff had recommended that the Board act on the PNM offer to purchase an easement from AMAFCA, act on one of the options presented by staff, or present another option or counter offer to PNM.

Mr. Willis introduced Mr. Fernando Vigil, Senior Land Specialist with PNM. Mr. Vigil thanked the Board for the opportunity to speak. He stated that he appreciated Mr. Willis' approach to the issue and acknowledged that Mr. Willis explained the situation very well.

Chair Brown asked if the easements will be permanent. Mr. Willis responded, yes. Mr. Vigil advised the lowest line would be 46 feet. Director Eichenberg opined that he would not support the item; it would lead to visual pollution. He further stated that the project would be ugly when done, but acknowledged that PNM had to deliver the service. Director Borrego asked if the poles that are adjacent to the channel are enclosed. Mr. Vigil responded, no, they would be direct buried, 6 feet wide, steel, self-weathering poles. Director Borrego asked if PNM has other easements within AMAFCA facilities. Mr. Willis responded, yes. Chair Brown asked if there were any other concerns and if the Board could act on the item. Director Borrego opined that a precedent had already been set with other easements. Chair Brown and Director Stover concurred. Mr. Vigil stated that PNM would like to have the poles in the NDC right-of-way as opposed to locating it in landscaped areas.

Mr. Lovato asked the Board how AMAFCA staff should proceed. Chair Brown stated that Option 1 would be the way to proceed. Director Borrego asked if it could be a temporary easement or if there could be a clause stating that once the easement is not needed it will revert to AMAFCA. Mr. Willis replied that he could have revocable language included that would dictate that once the area is not needed for electric transmission the easement reverts to AMAFCA. Mr. Vigil concurred and agreed that he would work with Mr. Willis.



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c. ABCWUA Waterline in Swinburne Dam – Request for Grant of Easement

Between her presentation and memo, Ms. Lynn Mazur, AMAFCA Development Review Engineer, provided the following:

The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) had identified a need to upgrade its facilities to supplement the current water supply in northwest Albuquerque. AMAFCA staff met with ABCWUA staff and its engineers to discuss the proposed plan and the request for an easement in AMAFCA's right-of-way. The plan would put the Corrales Well No. 2 back in service and to extend a new waterline to Well No. 3.

The Well No. 2 site is on the south side of the Calabacillas Arroyo, west of Unser Boulevard, outside of the Swinburne Dam pool. The well site was in existence when Swinburne Dam was constructed in 1990. A waterline easement was granted across the bottom of the dam in July 1990 for a collector line. An exhibit showing the Preliminary Alignment indicating the location of the well, and the existing waterline was provided to the Board in their mailout package.

Well No. 2 is currently out of service due to high arsenic levels in the water. A parallel line from Well No. 2 will be installed across the bottom of the arroyo and along the top north bank. It will turn north and continue to Well No. 3 where an arsenic treatment system will be upgraded. ABCWUA will need to coordinate with the Office of the State Engineer's Dam Safety Bureau since this area is in the Swinburne Dam. They have already contacted the Army Corps of Engineers for a 404 Permit for work in the Waters of the United States.

In addition to the easement across the bottom of the dam, ABCWUA has a sanitary sewer easement at the top of the north bank. There is not enough room in either easement to install most of the proposed waterline; therefore, they are requesting additional easement in AMAFCA's right-of-way. Ms. Mazur referred to the proposed Well Collector Alignment exhibit that was part of the Board mailout package. It shows the location of the proposed 25-foot easement.

Since ABCWUA is proposing work on the north side of the Calabacillas Arroyo, AMAFCA staff requested that ABCWUA add an access road from the end of Milky Way Street to the bottom of the arroyo. AMAFCA has few access points into the arroyo, so the road will provide a benefit to AMAFCA to access the arroyo and dam pool and to ABCWUA for access to the waterline.

The Board received in their handout a letter from Mr. John Stomp, ABCWUA Chief Operating Officer, requesting additional easements for a water line in Swinburne Dam.

Staff had recommended that the Board grant authorization to proceed with preparation of a Grant of Waterline Easement to the Albuquerque Bernalillo County Water Utility Authority.



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Ms. Mazur introduced Mr. Robert Fowlie, Engineer with CDM Smith working on the ABCWUA project. Mr. Fowlie stated that CDM Smith, along with Bohannon Huston Inc. designed the project. Mr. Fowlie referred to the aerial, noting the specific locations and recapped the information Ms. Mazur had provided in her mailout. Ms. Mazur mentioned that there is an existing sanitary sewer line at the top of the arroyo. There is not enough room between the existing property line, down into the existing easement to put a proposed water line next to the sanitary sewer line.

Ms. Mazur stated that Ms. Victoria Deny, Project Manager with ABCWUA, was present for any questions.

Chair Brown asked for clarification of Wells No. 2 and 3. Mr. Fowlie advised that Well 3 is currently shut down, is in disrepair, and cannot be replaced. Well No. 2 will be brought back on line. Chair Brown asked if the high level of arsenic was due to volcanic history. Mr. Fowlie responded, yes. Chair Brown asked about the access road. Ms. Mazur responded that it would tie into existing public right-of-way from Milky Way Road down to the bottom. Director Thomson asked about licensing and if there would be any financial transaction with the ABCWUA. The only commitment is that ABCWUA will construct the access road. Ms. Mazur responded, yes.

Director Thomson made a motion that the Board grant authorization to proceed with preparation of a Grant of Waterline Easement to the Albuquerque Bernalillo County Water Utility Authority. Director Borrego seconded the motion. The motion passed unanimously (5-0).

d. Notice of Issuance of Two Film Production Location Licenses

Between his presentation and memo, Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, provided the following:

The Executive Engineer recently issued two Temporary Encroachment License Agreements for the filming of scenes for movies, titled “The Scorch Trials” and “The Condemned Two.”

The Scorch Trials was filmed in the NDC on UNM Campus. The scene involved young adults running out of the concrete box culvert while being chased by scientists who wanted to experiment on them.

The Condemned Two was filmed in the South Diversion Channel under 2nd Street, west of the Tijeras Arroyo. The scene involved commandos driving down the channel and attacking a shanty town on the side of the channel.

Both films used one day for filming and used a day each for set up and take down of their sets. A fee of \$2,396.80 was collected from both film companies, based on the fee schedule for goods and



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services, per Resolution 2006-8, Reimbursement for AMAFCA Goods and Services Exhibit “A,” which was approved by the Board at the June 2012 Board Meeting.

In accordance with Resolution 2007-13, Film Production Location Licenses, the Executive Engineer is authorized to issue these licenses provided that the Board is informed of the issuance at the next regular meeting.

Director Eichenberg asked that in the upcoming project discussions that a plan for funds paid be earmarked for classes in film production at UNM or somewhere else so the money will go back into the community. Mr. Lovato stated, per the Resolution the Board passed last year, after the close of the fiscal year the funds are taken out of the Unassigned Funds and put back into the Operating Budget. Director Eichenberg stated he does not want the funds back into the Operating Fund and wants staff to come up with a plan to bring to the Board.

Director Thomson asked if clips could be obtained so the Board can see how the facilities are being used. Mr. Lovato advised that staff would work on getting some clips for the Board to view.

18. Stormwater Quality

a. Watershed Based Permit overview

Between his presentation and memo, Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, provided the following:

The new Middle Rio Grande Watershed Based MS4 Permit was published and became effective on December 22, 2014. As published, the new Watershed Based MS4 Permit offers AMAFCA the opportunity to more easily comply with permit terms than with the expired permit. The following reasons were highlighted:

- Compliance and annual reporting with the new MS4 encourages a web-based focus for providing additional storm water information and public outreach. Permittees can place storm water quality information in easily accessible locations, such as the respective websites for AMAFCA and/or the Mid Rio Grande Storm Water Quality Team. Web links to the website locations showing pertinent storm water information would be submitted with the MS4 Annual Report to the Environmental Protection Agency (EPA).
- The regional Watershed Based MS4 permit delineates a larger area from which to select fewer sampling locations as opposed to individual permittees having to sample at all shared boundaries within the larger area. Mr. Chavez referred to the exhibit showing boundaries. The exhibit was also part of the Board mailout package.



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- Enable cost sharing for program elements like wet weather monitoring amongst cooperative regional co-permittees. The new MS4 permit had changed from the previous permit, which now allows for extended deadlines to develop and implement cooperative program elements.

Director Thomson asked if an agency decides to not participate how it would affect the monitoring. Mr. Chavez referred to his exhibit and noted that it would refer to the agency that would be closest to the testing area. Mr. Lovato advised that the areas that are considered Waters of the United States (in blue on the exhibit) are not monitored. However, those waters not considered Waters of the United States are monitored by the entity closest to that area. AMAFCA will only do what is in their jurisdiction. In the event it is out of AMAFCA's jurisdiction, AMAFCA would be telling EPA that the area is not AMAFCA's responsibility and which entity is responsible to do the monitoring.

Chair Brown asked if an entity within the watershed does not want to participate in the watershed-based permit needs to submit within 90 days. Mr. Chavez responded, yes.

b. Regional Approach to Storm Water in Arid Southwest

Between his presentation and memo, Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, provided the following:

The Urban runoff discharged from municipal storm water conveyance systems had been identified by regulators as one of the principal causes of water quality problems. Nearly half of the CoA's entire watershed is collected and ultimately conveyed through the NDC.

With growing concerns of urban runoff and storm water pollution, federal agencies have devised regulations requiring development planning and construction controls to address storm-water-related pollution originating from new development projects. In an effort to develop and implement policies that help to ensure, to the maximum extent practicable, new development does not increase pollutant loads from a project site, Low Impact Development (LID) is now utilized as an approach to storm water management that works with nature to retain runoff as close to the source as possible. AMAFCA had invested significant resources to help the EPA understand the regional mentality to addressing storm water conveyance.

Albuquerque enjoys an arid climate; however, an 8-hour rainstorm event in early December 2014 registered a peak runoff flow of 496 cubic feet per second (cfs). This storm was uniquely appropriate to warrant additional investigation because of its near uniform rainfall intensity over all of the various watersheds that contribute flow to the NDC. The channel conveys collected storm water to the north and terminates about a mile from the Rio Grande at which point peak flow in the channel can be measured and recorded at a gaging station.



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The above-mentioned December 2014 storm event had a peak runoff of 496 cfs that occurred approximately 5 hours after the inception of rain. By using the widely accepted Rational Method to calculate the expected peak runoff from the contributing watersheds, with respective measured rainfall intensity values, the peak runoff in the channel was calculated to be 1,572 cfs. This peak runoff calculation accounted for land use categories such as: commercial, high and low density residential, streets, and undeveloped land.

Given that the actual peak flow of 496 cfs generated over the contributing watersheds in the NDC, from this particular storm event, was less than the expected peak flow of 1,572 cfs, it is encouraging that AMAFCA's channels, in conjunction with existing city infrastructure, are conveying less storm water than what would be expected from a calculation. The difference in peak flow between the measured and calculated can be contributed to not only infiltration, but on-going LID practices as well.

Also worth noting, for the sake of comparison, the Rational Method used to calculate the expected peak storm water runoff from Albuquerque as it exists today, was adjusted to calculate what the runoff would hypothetically be if the contributing watersheds were still undeveloped. The EPA mandates that developed peak storm water runoff flow will be less than the undeveloped flow. The Rational Method calculation for undeveloped contributing watersheds yielded a peak storm water runoff of 740 cfs. In keeping with LID principles, AMAFCA is already conveying less water than what would have been expected from undeveloped watersheds.

As development continues to grow in the greater Albuquerque area, compliance with the new Middle Rio Grande Watershed Based MS4 Permit will not be as onerous as compared with the expired permit given the region's continued commitment to LID.

c. NPDES General Permit NMR04A00 – Authorization to File Notice of Intent

Between his presentation and memo, Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, provided the following:

The deadline to submit a Notice of Intent (NOI) is 90-days from the effective date of the permit or 180-days from effective date of the permit, if participating in cooperative programs for one or

more program elements. An MS4 operator seeking authorization to discharge under this general permit must submit electronically a complete NOI in accordance with the established deadlines.

AMAFCA currently has a number of cooperative program elements therefore; there are 180-days to submit the NOI.



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Prior to submitting the NOI, AMAFCA must provide local public notice of, and make available for public review, a copy of the complete NOI and attachments. Local public notice may be made by newspaper, at a council meeting, or posting on the internet.

AMAFCA must consider all public comments received during the public notice period and may need to modify the NOI. AMAFCA must include in the NOI any unresolved public comments and the response to these comments.

There is no indication outside of a few tribal entities that any public agency in the watershed will seek an individual MS4 permit.

Staff had recommended that the Board direct staff to submit the required Notice of Intent for the new Watershed Based MS4 permit.

Chair Brown asked if Mr. Chavez would be in charge of selling the program. Mr. Chavez responded, yes.

Director Thomson summarized that the new permit requires the community implement LID. AMAFCA already meets two of the criteria that EPA uses to measure successful implementation of LID.

Chair Brown asked Mr. Kevin Daggett with CoA if this can be sold as it is. Mr. Daggett responded that more data is needed, but described the concept as interesting. He further stated he has information from when he was monitoring the Hahn Arroyo that may be useful.

Director Thomson made a motion for staff to submit the required Notice of Intent for the new Watershed Based MS4 permit. Director Stover seconded the motion. The motion passed unanimously (5-0).

19. Unfinished Business

Chair Brown presented Mr. Brad Sumrall, Chair of the 2014 Bond Committee, with a plaque for meeting and exceeding the goal of \$25,000.00 by bringing in \$29,000.00+. Mr. Sumrall thanked the Board.

20. New Business

Director Thomson asked that a Board Orientation held to provide information to the new Board and provide remedial education for the current Board. It could be a short two-hour session with presentations by staff on how financials are managed, policies, etc. He further stated he would leave it up to Mr. Lovato on when and where. Mr. Lovato reminded the Board that a quorum



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would be present. Director Eichenberg stated that a quorum would not a problem since it is for educational purposes.

Director Thomson asked that in recognition of former Director Hernandez, AMAFCA name some physical facility in his honor. This could be a pond, structure, meeting room, etc. Mr. Lovato advised that the Los Padillas Outfall Structure at Isleta and Durand Open Space is a possible location. The area owned by AMAFCA will be the piece dedicated to Mr. Hernandez. Director Thomson asked what the process would be. Director Eichenberg advised that it would need to be an agenda item. He further stated he would like several options that would be in Director Stover's district, which is the Mr. Hernandez's former district. This could happen as soon as the March meeting and Mr. Hernandez will be invited to attend.

21. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:07 p.m.

Tim Eichenberg, Secretary-Treasurer, 2/26/15

Recorded by Guylene Harris, Executive Administrative Assistant