



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
April 26, 2018  
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**1. Call to Order and Roll Call**

Chair Brown called the Regular Board Meeting to order at 10:02 a.m., Thursday, April 26, 2018. Roll was noted as follows:

|                    |   |
|--------------------|---|
| Directors present: | Chair Ronald D. Brown<br>Director Tim Eichenberg<br>Director Deborah L. Stover<br>Director Cynthia D. Borrego – arrived at 10:03 a.m.<br>left at 12:41 p.m. |
| Directors excused: | Director Bruce M. Thomson   |
| Attorney present:  | Randy Autio, Robles, Rael & Anaya   |
| Others present:    | Jerry M. Lovato, P.E., Executive Engineer<br>Staff  |

A quorum was present.

**2. Approval of Agenda**

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

**3. Meetings Scheduled**

- a. **May 24, 2018, 10:00 a.m. – Regular Meeting**
- b. **June 28, 2018, 10:00 a.m. – Regular Meeting**
- c. **July 26, 2018, 10:00 a.m. – Regular Meeting**

Chair Brown stated he might miss the May 24, 2018 meeting. There were no changes made to the dates listed above.

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

No one signed up for Public Comment. Chair Brown referenced a Thank You card received from former Board and staff member, Ms. Geneiva Meeker expressing her heartfelt thanks for the gift and recognition she received at the March 22, 2018 meeting. The passing of Mrs. Jennifer Riordan was noted. Mr. Michael Riordan (spouse) is an active and involved participant in AMAFCA and City of Albuquerque projects and has been for over 20 years. The Board expressed their condolences to the Riordan family.

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**5. Approval of Minutes**

**a. March 22, 2018**

Director Borrego made a motion to approve the minutes of March 22, 2018. Director Stover seconded the motion, which passed (4-0).

**6. Financial Matters**

**a. FY 18 Budget to Actual**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board.

**b. AMAFCA Cash & Investments**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no questions.

**c. Approval of March 2018 Expenditures**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no questions.

Director Eichenberg made a motion to approve the March 2018 Expenditure Report. Director Borrego seconded the motion, which passed (4-0).

**d. Financial Position Recap March 16, 2018 through April 15, 2018 & Forecast April 16, 2018 through May 15, 2018**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no questions.

Director Borrego made a motion to approve the Financial Forecast Report. Director Stover seconded the motion, which passed (3-0). Director Eichenberg had left the room prior to this agenda item.

**e. Fiscal Agent Funds – Proof of Cash and Savings**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no questions.

**7. Legal**

**a. Legal Status**

Attorney Randy Autio summarized information provided in the memo. There were no questions.

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### 8. Executive Engineer's Report

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

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, highlighted significant activities from the past month and answered questions from the Board.

- **City of Albuquerque (CoA)**

*Eastern and Alvarado Regional Flood Control and Water Quality Project:* The purpose of the project would be to remove floodplain downstream and in the Campus Wash area. CoA has two different ideas for development of the site. CoA requested an analysis on the possibility of a small facility that would take out a good part of the floodplain. WSP had been tasked by AMAFCA to do the project analysis. The report should be ready for CoA review in a month or so.

*Assorted Regional Water Quality Projects:* AMAFCA met with CoA Park and Recreation staff to discuss the possibility of building small regional water quality projects in the urban area to incorporate CoA open space / park areas.

*Open Space Joint Projects:* AMAFCA met with CoA Park and Recreation and National Park staff to discuss the possibility of building joint projects in and around the urban area that would incorporate open space and areas controlled by the National Park Service (NPS). In the past, getting access through NPS territory was impossible, the situation has changed today. NPS will help with coordination of the 17-mile hiking trail in the Boca Negra area that will affect access to numerous AMAFCA facilities. NPS is willing to modify their design(s) to address AMAFCA access requirements. Planned collaboration efforts are for two projects: The Amole Dam would expand to the north and the North Geological Window Dam, controlled by CoA Open Space with NPS controlling what is developed in the area, would add 30-35 acres of land.

- **AMAFCA**

*Agency and Area Wide Contract VIII:* The recent passing of Mr. John Andrews affected the project, in that, the Larkin Group is closing. Mr. Pat Conley of Conley Engineering acquired inspection services from Smith Engineering to replace the Larkin Group. The construction schedule would not be affected by the change; however, the hourly rate for inspection services would increase by ten dollars an hour. The additional cost is not associated with overhead or profit, but is the result of the hourly rate paid to the inspector.

*Regional Emergency Coordination Workshop:* Mr. Nolan Bennett, AMAFCA Field Engineer, will be hosting an emergency coordination workshop with CoA, Bernalillo County (BernCo), Middle Rio Grande Conservancy District (MRGCD), and Albuquerque Bernalillo County Water Utility Authority (ABCWUA) field staff to discuss resource sharing and communication protocols in an event of an emergency. This workshop had been done in the past and was considered a success.

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*Letters of Map Revision (LOMR):* AMAFCA had been in preliminary discussions with BernCo to start the LOMR process to remove floodplain associated with the Southwest Valley Flood Reduction Project. This should start in the next few months.

*Design Award:* AMAFCA received two honorable mention awards during the American Council of Engineering Companies (ACEC) annual gala. The awards were for the West I-40 Diversion Channel Phase IV Project (Volcano) and the Tijeras Arroyo Sediment Retention Project.

*Proposed City of Albuquerque Storm Water Quality Ordinance:* AMAFCA has helped CoA's City Council draft modifications to the proposed Storm Water Quality Ordinance. This would include a way for regional treatment of storm water.

Mr. Lovato noted that the interaction with CoA staff and upper level management had drastically changed providing opportunities for joint projects to maximize benefits to AMAFCA constituents.

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

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, referred to the memo for task orders that had been issued the prior month. At that time, Attorney Autio asked that a moment of silence be observed by the Board in honor of Jennifer Riordan.

Chair Brown stated that agenda **Items 9 through 11** were on the Consent Agenda. Director Eichenberg made a motion that the Board accept the items on the Consent Agenda. The motion taken approved the following:

- Approved the Third Extension of Contract with Black Forest Tree Service; and
- Approved the Third Extension of Contract with Southwest Sewer Service, Inc.; and
- Approved the Second Extension of Agreement with Carr, Riggs & Ingram, LLC. (formerly known as RPC CPAs + Consultants, LLP.).

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

## **12. AMAFCA Bond Program**

### **a. Bond Sale Presentation by George K. Baum**

Mr. Chavez introduced Mr. John Archuleta with George K. Baum. Part of the presentation included Debt Profile with Historical Assessed Valuations; Mill Levy Rates; Outstanding General Bonds; Proposed Payment for the 2018 Bond; AMAFCA and the Rating Agencies would be taking part in rating calls prior to the upcoming Bond Sale; and funds from the Bond Sale will be ready on / or about May 5, 2017. Responding to a question from the Board about a planning ahead scenario, Mr. Chavez said that both AMAFCA and George K. Baum staff have done a look ahead for the next 25 years. It is expected that in the early 2030-time frame AMAFCA may run into a debt ceiling. However, AMAFCA is looking at options now to prevent that from happening. AMAFCA does not want to be in a position where DFA tells AMAFCA what it must do. It was noted by the Board that while trying to be optimistic there is concern that AMAFCA would have to up the assessment rate(s) to make things work; AMAFCA is extending out to 10 years while not seeing projected

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values and other things being done on a regular fashion in the Bernalillo County Assessor's office; AMAFCA should look at different alternatives such as not doing a bond sale in the upcoming year and / or sell less than \$12.5M in bonds.

### **b. Approval of Resolution 2018-03, Notice of Bond Sale**

Mr. Chavez introduced Mr. Daniel Alsup with Modrall. Mr. Alsup summarized the bond sale process called out in the Resolution and pointed out it is the same as past bond sales.

Director Eichenberg made a motion that the Board adopt Resolution 2018-03, Notice of Bond Sale. Director Stover seconded the motion, which passed unanimously (4-0), on a roll-call vote.

### **c. Approval of Resolution 2018-04, 2018 Bond Election**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board. Mr. Alsup covered the old and new requirements of the Local Election Act. There was a brief discussion about the BernCo Clerk tasked to limit the size of the ballot which could be an issue with the Bond question; AMAFCA wanting to be on the 2018 ballot; if AMAFCA sells the Bond and AMAFCA's finances do not allow use of the Bond, voters would be upset; and the use of a sunset clause was noted.

Director Eichenberg made a motion that the Board adopt Resolution 2018-04, 2018 Bond Election. Director Borrego seconded the motion, which passed unanimously (4-0), on a roll-call vote.

## **13. Calabacillas Arroyo Facility Plan – Swinburne Dam to the Rio Grande, Project Update**

Mr. Kevin Troutman, AMAFCA GIS Manager, introduced Mr. Kyle Shour, Tetra Tech Lead Engineer. Mr. Shour provided a brief overview of the project which covered some of the following: Overview with Analyses; Evaluation of Existing Grade Control Structures (22 in arroyo with one being inadequate for flood control capacity); Recommendations for Grade Control Structures; and the Summary of Costs. Mr. Troutman and Mr. Shour answered questions from the Board. There was a brief discussion regarding discharge for the 100-year storm and throttling it down; the possibility of a sediment drop behind the structure; the amount of sediment capture is approximately 10,000 yards; concern with flows coming into Swinburne from Rio Rancho are not higher than what the facility is designed for; the 100-year discharge rate and everything designed downstream was based on previously approved designs; Tetra Tech was tasked with looking at the stretch from the river to the dam only with the assumption that new sediment structure was in place in Swinburne Dam so AMAFCA could account for increase scour in the upper reach of the arroyo; looking upstream the West Branch Study is wrapping up which notes the flow coming into the Calabacillas; the project schedule identifies an additional facility plan from the dam to the county line that will task looking at the incoming flow rate from the main branch and routing through Swinburne Dam to ensure reaching the 100-year flow rate; the long term scour potential in this reach of the river is driven by the more frequent two and five year storms; a build out analysis was done to 2036; and the Southern Sandoval County Arroyo Flood Control Authority did a study which had been shared with AMAFCA.

**14. Joint Projects Updates**

**a. Colorado-New Mexico Regional Extreme Precipitation Study – Project Update**

Mr. Kevin Troutman, AMAFCA GIS Manager, along with Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered Deterministic PMP Tool; Tool Output; Results Comparison; Task 1 AEP Comparisons; Comparison to HMR 55a; Comparison to Surrounding Studies; Temporal Distribution; Gibson Dam Transposition Discussion (Montana storm of 1964 – overtopped); AEP Web Interface; AEP Chart, Graph, and Temporal Output; Spatial Precipitation Patterns; 1:1000 AEP; Watershed Areal Reduction Factors in Task 2; WRF Reanalysis (Rattlesnake, ID storm of 1909; Climate Change Temperature and PWAT Increase; Deliverables; and Schedule(s) for Colorado and New Mexico. There was a brief discussion about the State of Colorado planning to accept the Study and the possibility that the New Mexico State Engineer's office would not approve adoption of the Study.

**b. Montano Levee – Joint Project with City of Albuquerque, Bernalillo County, and the Middle Rio Grande Conservancy District**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered questions from the Board. There was a brief discussion about the current issues including CoA Leadership have more than enough to handle; the NM Department of Homeland Security (NMDHS) not wanting AMAFCA being involved with the grant; the Deputy Secretary for NMDHS is an attorney; all questions are answered which brings up more questions; AMAFCA cannot commit other entities to the agreement; and none of the proposed items were against NMDHS requirements.

**c. UNM North Campus – Joint Project with Bernalillo County and University of New Mexico**

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. There were no questions.

**d. KAFB Drainage Facility – Joint Project with Kirtland Air Force Base, City of Albuquerque**

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo. Mr. Lovato stated that \$800K had been transferred into the account for AMAFCA to use which shows they have confidence that the project will be completed. Mr. Bingham stated that the Environmental Assessment will have a 30-day public comment and that the Judge Advocate General for the Air Force will be looking at it. There were no questions.

**e. Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project – Project Update**

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. The project is 90-95 percent of design. A Public Meeting is scheduled for May 10, 2018 at the Jewish Community Center, across the street

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from the facility. The agenda had not been finalized due to input needed from the Board. There was a brief discussion about CoA's request for AMAFCA to maintain the facility; it is an CoA facility so why is AMAFCA handling; this CoA facility has been an eyesore for years; the need to dial back the design; and ABCWUA has a reinjection point near the facility, which will become a part of the project in the future; and the project is a pilot project which needs to be done.

### **15. AMAFCA Field Highlights**

#### **a. Field Report**

Mr. Nolan Bennett, AMAFCA Field Engineer, gave a report of various projects and events over the last couple of months and answered questions from the Board.

#### **b. Construction Report**

There was no discussion or questions on this item.

### **16. Real Estate**

#### **a. Lot 32, Block 13, Tract 3, Unit 2, NAA Drainage Easement**

Ms. Nicole Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo and answered questions from the Board.

Director Eichenberg made a motion that the Board accept the Grant of Easement for Lot 32 of Block 13, Tract 3, Unit 2 of North Albuquerque Acres. Director Borrego seconded the motion, which passed (4-0).

#### **b. 11020 Richfield NE Quitclaim of NAA Drainage Easement**

Ms. Nicole Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo. There were no questions.

Director Eichenberg made a motion that the Board authorize the Chair to execute the Quitclaim Deed / Release of Easement for Lot 3 of Block 7, Tract 3, Unit 1 of North Albuquerque Acres. Director Borrego seconded the motion, which passed (4-0).

### **17. AMAFCA FY-2019 Budget**

#### **a. Draft FY-2019 Operating Fund Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board. Responding to a question from the Board about membership to NAIOP, Mr. Lovato stated that Elected Officials have comped lunch. A brief discussion on the topic took place regarding AMAFCA being a member at one time; there are topics that are informative; and AMAFCA should look at pursuing membership. Mr. Chavez stated that the May Board meeting would be where the Board would approve the budgets early in the meeting. Any changes that are needed would be done prior to the meeting and he would

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communicate the changes to the Board. The budgets need Board approval and submittal by the June 1, 2018 deadline.

- 1. Utilizing AMAFCA General Ledger Codes**
- 2. Utilizing DFA General Ledger Codes**

Mr. Chavez stated that DFA had informed him that AMAFCA does not need to comply at this time to the DFA General Ledger Codes. It appears that municipalities do need to comply and special districts will be required to do so in the future. It was the Board consensus that AMAFCA go ahead and start using since the work had already been done.

**b. Draft FY-2019 Construction Fund Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no changes to the budget and only one project change. There were no questions.

**c. Draft FY-2019 Debt Service Fund Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no changes to the budget. There were no questions.

**d. Draft FY-2019 Acquisitions & Savings Fund Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board. There were no changes to the budget.

**e. Draft FY-2019 Contingency Fund Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no changes to the budget. There were no questions.

**f. Draft FY-2019 Unassigned Funds Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no changes to the budget. There were no questions.

**g. Draft FY-2019 Fiscal Agent Funds Budget**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no changes to the budget. There were no questions.



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**h. Draft FY-2019 AMAFCA Budget Utilizing DFA General Ledger Codes**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. There were no questions. The Board reiterated to go ahead and start reporting to DFA on the State reporting system.

**18. Executive Session (closed)**

**a. Discuss the Acquisition of Real Property (§10-15-1(H)(8)) – Upper Piedras Marcadas Watershed**

**b. Discuss the Acquisition of Real Property (§10-15-1(H)(8)) – Moon Mini Drainage Management Plan**

Chair Brown advised that Items 18a and 18b were Closed Session agenda items. 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,”* eighth edition, 2015, to discuss Acquisition of Real Property. Director Stover seconded the motion, which passed unanimously (4-0), on a roll call vote. Mr. Lovato and Legal Counsel were asked to remain; Mr. Lovato asked that Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, and Mr. Kevin Troutman, AMAFCA GIS Manager, remain as well.

Chair Brown closed the meeting at 12:39 p.m. Chair Brown asked for a motion to re-open the meeting at 1:15 p.m. Director Eichenberg made a motion that the meeting be re-opened. Director Stover seconded the motion, which passed unanimously (3-0), on a roll call vote. Director Borrego left the meeting as the Closed Session started. Chair Brown stated that no action was taken during the Closed Session. He further stated that pending acquisition of Real Property was discussed and staff had been provided with direction on how to proceed.

**19. Unfinished Business**

None.

**20. New Business**

The Board would like AMAFCA to pursue membership in NAIOP.

**21. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:18 p.m.

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Deborah L. Stover, Secretary-Treasurer, 5/24/18

*If Draft is noted as a watermark, the minutes are in draft form, are not the official minutes of record, and are subject to approval by the AMAFCA Board of Directors.*