



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
March 22, 2018  
Page 1**

**1. Call to Order and Roll Call**

Chair Brown called the Regular Board Meeting to order at 10:00 a.m., Thursday, March 22, 2018. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego Director Tim Eichenberg Director Deborah L. Stover Director Bruce M. Thomson
Directors excused:	None
Attorney present:	Lance Hough, Robles, Rael & Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff

A quorum was present.

**2. Approval of Agenda**

Director Eichenberg made a motion to approve the agenda. Director Borrego seconded the motion, which passed (5-0).

**3. Meetings Scheduled**

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

There were no changes made to the dates listed above.

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

The recent passing of Mr. John Andrews, with Larkin Group, was referenced. There will be a more formal recognition of Mr. Andrews at a future meeting.

**AMAFCA Regular Meeting Minutes**

**March 22, 2018**

**Page 2**

**5. Approval of Minutes**

**a. February 22, 2018**

Director Borrego made a motion to approve the minutes of February 22, 2018. Director Eichenberg seconded the motion, which passed (5-0).

**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 and answered questions from the Board.

**c. Approval of February 2018 Expenditures**

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

Director Eichenberg made a motion to approve the February 2018 Expenditure Report. Director Thomson seconded the motion, which passed (5-0).

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

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 Financial Forecast Report. Director Thomson seconded the motion, which passed (5-0).

**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.

**f. Other Financial Matters**

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

**1. AMAFCA FY 2017 Audit - New Mexico State Auditor – Mandatory Training**

# AMAFCA Regular Meeting Minutes

March 22, 2018

Page 3

## 2. General Obligation Bond Sale

The Board referenced the fact that the AMAFCA Board of Directors, as part of their fiduciary duties, do not only track finances, they review revenue projections, monitor cost forecasts, and if necessary, would be able to defend AMAFCA's finances to DFA.

## 7. Legal

### a. Legal Status

Attorney Lance Hough summarized information provided in the memo. Responding to a question from the Board regarding a ADA complaint on a City of Albuquerque (CoA) bike trail, Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated AMAFCA is and has been in compliance with ADA requirements pursuant to AMAFCA design and operation of flood control infrastructure. Staff had attended a recent training on the same topic, and both State and Federal government offices have confirmed that AMAFCA is compliance.

## 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)**

*Caravan Site – Regional Flood Control and Water Quality Improvement Update:* An architect is on board, the current design will require additional storage to be built underground, few constraints will be allowed, and the project is turning out to be more expensive.

*Eastern and Alvarado Regional Flood Control and Water Quality Project:* There is a proposed Veteran's Integration Center or a Small Home Site being discussed by City Councilors Davis and Gibson to be built on the vacant property site. The current uses being discussed will require more than half the site, thereby reducing the effect of a regional flood facility in the area.

*Assorted Regional Water Quality Projects:* The projects would be small in nature, but would need to be part of a bigger water quality plan and will average between \$10K to \$25K.

- **University of New Mexico (UNM) North Golf Course:** UNM has the agreement. AMAFCA is still awaiting comments.
- **Bernalillo County (BernCo) Assorted Regional Water Quality Projects:** Small water quality projects are being considered.

## AMAFCA Regular Meeting Minutes

March 22, 2018

Page 4

- **Public Outreach** *Louisiana-Gibson Regional Drainage Facility at Kirtland Air Force Base (KAFB)*: Mr. Brad Bingham is the project manager and will be attending numerous Neighborhood Association Meetings in the next month.

### **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 and answered questions from the Board.

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

- Approve the Second Extension for Bond Counsel Services with Modrall, Sperling, Roehl, Harris & Sisk, P.A.; and
- Approve the Second Extension for Financial Advisor Services with George K. Baum; and
- Approve the Second Extension for General Legal Counsel Services with Robles, Rael & Anaya, P.C.

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

## **12. New Mexico Legislature 2018 Session**

### **a. House Bill 98 – Local Election Act – Director Election**

Ms. Vanessa Alarid with Alarid Consulting, provided a brief recap covering various talking points and answered questions from the Board. She reiterated to the Board that the term is still six years; however, with the passing of the Local Election Act; all current Directors gain an extra year on their term. The Local Election is held on odd years. It was noted that the Local Election Act allows for Special Elections; however, AMAFCA would need to pay all costs associated with an all-mail-ballot election. Ballot and postage would be paid by AMAFCA. A change with the Local Election Act, is the position of AMAFCA on the ballot. AMAFCA used to be at the bottom of the ballot in the General Election; however, AMAFCA now moves to number three or four in the Local Election ballot. The costs to participate in the Local Election, are based on general fund expenditures and will need to be included in the general operation budget (\$1M cost is \$250, \$1M + \$1 is \$500, and \$2M + \$1 is \$750).

### **b. House Bill 98 – Local Election Act – General Obligation Election**

Ms. Alarid stated that the General Obligation Bond can remain on a high turnout General Election day. She mentioned the importance of the Bond Election was stressed to the Sponsor of the Bill (Ivey-Soto). Bond Questions on the ballot will require the approval of Bernalillo County on both even and odd years. It was the consensus of the AMAFCA Board of Directors to contact the Bernalillo County Clerk to make sure AMAFCA's Bond question is on the General Election ballot.

## AMAFCA Regular Meeting Minutes

March 22, 2018

Page 5

### c. **Legislative Session Summary – Briefing by Alarid Consulting**

Ms. Alarid stated that the Municipal Election was automatically moved with the passing of the Local Election Act. With the all elections taking place on the same day each year (first Tuesday in November) it is hoped that a 30-40 percent turnout will occur on odd years.

### 13. **Joint Projects Updates**

#### a. **Ortega and Garduño Storm Drain - Presentation by Mr. Archuleta Bernalillo County**

Mr. Brian Lopez, Project Manager with BernCo, stated that the Village of Los Ranchos (VoLR) had not provided comments, but are part of the agreement. Part of his presentation included review of the location; project basin areas; various project options; finalizing design scope and fee with the consultant, WSP; design schedule should take five to six months; and bidding will take place later this year with a three to four-month completion. It was reiterated that that project does have a construction sunset clause. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that the project should meet AMAFCA's deadline and that VoLR had stipulated that there would be not construction or drainage allowed on VoLR facilities. It was the general consensus of the Board that if AMAFCA had done the project it would have been completed five or six years ago. Responding to a question from the Board, Mr. Lovato stated that if the project is to be expanded, VoLR would need to come to the table with funding. The current plan with BernCo is to utilize gravity methods to drain the ponds. Responding to a question from the Board, Mr. Lovato stated that VoLR is not promoting the project; it is coming from residents and showed the areas where floodplain would be removed. There was a brief discussion regarding the original timeline, AMAFCA receiving no cooperation from VoLR, how village politics has not changed, and if AMAFCA had presented to VoLR City Council. Mr. Don Lopez, stated he was reelected as VoLR Mayor Pro Tem and Trustee. He further stated he had spoken with Mr. Tim McDonough with VoLR and was told Mr. McDonough had not seen the documents. Mr. Lopez further stated he was not aware if the documents were sent to Mr. McDonough directly and that AMAFCA had not come to a Trustee meeting in the last year. It was noted by the Board that AMAFCA had past conversations with VoLR and staff should reach out to BernCo and VoLR to see if VoLR is willing to come in with land for this project.

#### b. **Marble Arno Pump Station – Presentation by the City of Albuquerque**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, introduced Mr. Kevin Daggett with CoA. Mr. Daggett thanked the Board and introduced Mr. Joshua Ellison, Project Manager with CoA, and Mr. Cody Sipes with Smith Engineering. Mr. Daggett advised that the contract is currently going through CoA departments and should be approved by City Council in two to three months. The project overall area; vicinity map; project components that included design of wet well / pond, storm drain improvements and landscaping were recapped. Mr. Sipes stated pumps will be utilized for the pond and covered the location(s). The size of the pond will dictate the size of the pump. CoA and Smith Engineering will evaluate to see if pumps can be eliminated. Responding to questions from the Board regarding contamination and plumes in the area, Mr. Daggett stated that the dissolved iron manganese is now considered below standard and the area where contaminates were located was site specific (former gas station).

## AMAFCA Regular Meeting Minutes

March 22, 2018

Page 6

### c. **Dallas Regional Drainage Facility at Caravan Site – Introduction of Draft Funding Agreement with the City of Albuquerque**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. The project will be done in three phases; feasibility, design, and construction. There was a brief discussion regarding the San Mateo to Moon Mini Drainage Management Plan and the Caravan Site project costing \$3M to \$3.5M for 30-acre feet. It was suggested that CoA and AMAFCA staff consider accruing property somewhere else to be cost effective.

### 14. **Valle de Oro Second Street Flood Control Project – Approval of Funding Agreement for Culvert Replacement Under Second Street with the Middle Rio Grande Conservancy District**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo.

Director Eichenberg made a motion that the Board approve the funding agreement for Culvert Replacement under Second Street with the Middle Rio Grande Conservancy District. Direct Stover seconded the motion, which passed (5-0).

### 15. **Presentation to Geneva Meeker – Former AMAFCA Board and Staff Member**

Mr. Jerry Lovato, AMAFCA Executive Engineer stated that Ms. Meeker will be moving to Missouri to be closer to her family. Ms. Meeker is a former AMAFCA Staff and Board member and a great proponent for everything that is AMAFCA.

Chair Brown introduced a former Director, Executive Engineers, and other former staff who were present to wish Ms. Meeker well. Introduced were:

- Former Director: Rex Funk
- Former AMAFCA Executive Engineers: Mr. Jim Smith, Mr. Richard Leonard, Mr. Larry Blair, and Mr. John Kelly
- Former staff members: Mr. Larry Trujillo, Maintenance Superintendent, Mr. Roger Flagel, Real Estate Manager, and Ms. Judy Millholland, Business Manager.

All the above, including present current AMAFCA Board and staff, wished Ms. Geneva Meeker well for the next endeavor in her life. Chair Brown presented Ms. Meeker a beautiful piece of Nambe engraved with the AMAFCA logo. Mr. John Kelly read an article by Mr. Jim Belshaw with the Albuquerque Journal, dated December 13, 1996, titled “Genieva’s Correction”. Mr. Jim Smith, Mr. Larry Trujillo, and Mr. Larry Blair all provided antidotes from their time working with Ms. Meeker. Ms. Meeker thanked everyone and shared that she thought AMAFCA is the best run public agency in the State of New Mexico.

**AMAFCA Regular Meeting Minutes**

**March 22, 2018**

**Page 7**

**16. 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.

**17. Not Used**

**18. AMAFCA FY-2019 Budget**

**a. Surplus Property Report**

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, summarized information provided in the memo and answered questions from the Board.

**b. AMAFCA Equipment and Fleet Evaluation**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered questions from the Board. The Board concurred that the new way of projecting the future equipment needs made sense.

**c. FY-2019 Revenue Projections**

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

**d. Draft FY-2019 Operating Fund Budget**

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

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

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

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

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

**AMAFCA Regular Meeting Minutes**

**March 22, 2018**

**Page 8**

**g. 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.

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

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

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

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

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

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

**19. Executive Session (closed)**

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

Chair Brown advised that Item 19a was a Closed Session agenda item. Director Thomson 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 Borrego seconded the motion, which passed unanimously (5-0), 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 1:06 p.m. Chair Brown asked for a motion to re-open the meeting at 1:47 p.m. Director Stover made a motion that the meeting be re-opened. Director Borrego seconded the motion, which passed unanimously (5-0), on a roll call vote. Chair Brown stated that no action was taken during the Closed Session. Chair Brown further stated that pending acquisition of Real Property was discussed and staff had been provided with direction on how to proceed.

**20. Unfinished Business**

Responding to a question from Director Thomson on news pertaining to the Montano Levee, Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated things are progressing and CoA is serious and had asked Mr. Greg Smith with CoA to get involved.

**21. New Business**

None.

**AMAFCA Regular Meeting Minutes**

**March 22, 2018**

**Page 9**

**22. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 12:47 p.m.

---

Deborah L. Stover, Secretary-Treasurer, 4/26/18

*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.*