



**Albuquerque Metropolitan
Arroyo Flood Control Authority
Regular Meeting Minutes
May 24, 2018
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1. Call to Order and Roll Call

Chair Brown called the Regular Board Meeting to order at 10:03 a.m., Thursday, May 24, 2018. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego – left at 1:20 p.m. Director Tim Eichenberg Director Deborah L. Stover Director Bruce M. Thomson
Directors excused:	None
Attorney present:	Randy Autio, Robles, Rael & Anaya
Others present:	Jerry M. Lovato, P.E., Executive Engineer Staff

A quorum was present.

2. Approval of Agenda

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, asked that item 18b be removed from the agenda.

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

3. Meetings Scheduled

- a. June 28, 2018, 10:00 a.m. – Regular Meeting**
- b. July 26, 2018, 10:00 a.m. – Regular Meeting**
- c. August 23, 2018, 10:00 a.m. – Regular Meeting (cancelled)**

Chair Brown stated he might miss the June 28, 2018 meeting. There was a brief discussion regarding the EPA conference, hosted by the Storm Team, which would conflict with the August Board meeting. Some Directors may want to attend the EPA conference and some Directors would not be available the last week of August. Mr. Lovato recapped items which might be on the August agenda including awarding the construction bid for the Kirtland Air Force Base (KAFB) outlet pipe. It was the consensus of the Board to cancel the August Regular Board meeting. If needed, a short Special meeting in August would be scheduled to approve an upcoming project on Kirtland Air Force Base. Other items which may have been scheduled for August would be moved to the September Board meeting. Responding to a question from the Board, Mr. Audio stated that a quorum notice would be published.

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4. Items from the Floor/Public Comments

No one signed up for Public Comment.

5. Approval of Minutes

a. April 26, 2018

Director Stover made a motion to approve the minutes of April 26, 2018. Director Borrego seconded the motion, which passed (4-0). Director Thomson abstained due to not being present at the April meeting.

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 April 2018 Expenditures

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

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

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

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

Director Thomson made a motion to approve the Financial Forecast Report. Director Stover 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.

7. Approval of AMAFCA FY-2019 Budget

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a. 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. Community Involvement was noted as the only change to the budget.

Director Stover made a motion to approve the FY-2019 Operating Fund Budget for submittal to the Department of Finance and Administration (DFA). Director Borrego seconded the motion, which passed (5-0).

b. 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. There were no questions.

Director Borrego made a motion to approve the FY-2019 Construction Fund Budget for submittal to DFA. Director Stover seconded the motion, which passed (5-0).

c. 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.

Director Thomson made a motion to approve the FY-2019 Debt Service Fund Budget for submittal to DFA. Director Stover seconded the motion, which passed (5-0).

d. FY-2019 Acquisitions & Savings 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.

Director Thomson made a motion to approve the FY-2019 Acquisitions & Savings Fund Budget for submittal to DFA. Director Stover seconded the motion, which passed (5-0).

e. 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.

Director Thomson made a motion to approve the FY-2019 Contingency Fund Budget for submittal to DFA. Director Stover seconded the motion, which passed (5-0).

f. FY-2019 Unassigned Fund Budget

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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.

Director Stover made a motion to approve the FY-2019 Unassigned Fund Budget for submittal to DFA. Director Thomson seconded the motion, which passed (5-0).

g. 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.

Director Stover made a motion to approve the FY-2019 Fiscal Agent Fund Budget(s) for submittal to DFA. Director Thomson seconded the motion, which passed (5-0).

8. Resolution 2018-05 – Adoption of Fiscal Year 2019 AMAFCA Budget

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

Director Thomson made a motion that the Board adopt Resolution 2018-05, Fiscal Year 2019 Budget, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Stover seconded the motion, which passed unanimously (5-0), on a roll-call vote.

9. Resolution 2018-06 – Consideration for Approval of the Ad Valorem Tax Levy for Tax Year 2018, Applicable to General Operating Fund

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. Due to a request from DFA, the timing of the memo with the need for an approved Resolution was required for the current Board meeting. There was a brief discussion about going to Santa Fe to meet with the assigned analyst; there is a new interim analyst assigned to AMAFCA; and once DFA settles down AMAFCA staff would meet with them.

Director Thomson made a motion that the Board adopt Resolution 2018-06, Ad Valorem Tax Levy for Tax Year 2018, Applicable to General Operating Fund. Director Stover seconded the motion, which passed unanimously (5-0), on a roll-call vote.

10. Resolution 2018-07, Consideration for Approval of the Ad Valorem Tax Levy for Tax Year 2018, Applicable to Debt Service Fund

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

Director Thomson made a motion that the Board adopt Resolution 2018-07, Ad Valorem Tax Levy for Tax Year 2018, Applicable to Debt Service Fund. Director Stover seconded the motion, which passed unanimously (5-0), on a roll-call vote.

11. Legal

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a. Legal Status

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

Items 13 Executive Engineer's Report and 14 through 16 Consent Agenda were moved up due to the pending Bond Sale.

13. 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.

- **AMAFCA**

2018 Monsoon Season: The AMAFCA crew have been working diligently to remove over grown vegetation, rebuilding access roads, maintaining diversion berms, sealing concrete channels, removing excess sediment, repairing pipe penetrations, and cleaning all water quality structures in preparation of the 2018 monsoon season. AMAFCA's flood control system is ready to accept flows from the City of Albuquerque (CoA), Bernalillo County (BernCo), and the New Mexico Department of Transportation (NMDOT) drainage systems and convey those flows to the Rio Grande. There was a brief discussion regarding recognition from AMAFCA to the Fire Department(s) for their efforts in various water rescue events. Mr. Lovato stated he would talk with the Commander of the Swift Water Rescue to see what could be done.

Regional Emergency Coordination Workshop: AMAFCA staff will be hosting an emergency coordination workshop with the CoA, BernCo, the Middle Rio Grande Conservancy District, and the Albuquerque Bernalillo County Water Utility Authority field staff to discuss resource sharing and communication protocols in the event of an emergency. The workshop would also provide an opportunity for field staff to meet each other and to share experiences.

Letters of Map Revision (LOMR): AMAFCA will start the LOMR process to remove floodplain associated with joint projects completed over the last two years, including the completion of the Southwest Valley Flood Reduction Project Phase II and the Raven Pond and outfall project. BernCo will coordinate with AMAFCA as each scope of work is defined.

AMAFCA Comprehensive Annual Financial Report: AMAFCA had been notified that the AMAFCA FY-2017 Comprehensive Annual Financial Report (CAFR) was awarded a Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. The Board congratulated AMAFCA staff for a job well done and Chair Brown posed for pictures with staff.

Raven Pond Neighborhood Meeting: Director Stover, Mr. Nolan Bennett, and Mr. Jerry Lovato met with concerned neighbors and BernCo Commissioner Steven Michael Quezada at Raven Pond on Wednesday May 23, 2018. Commissioner Quezada requested the meeting to discuss issues brought to his attention by the neighborhood. Raven Pond has

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been identified as a public nuisance/public health issue due to a smell of rotten eggs and mosquitoes on site. The rotten egg smell is not from leaking sanitary sewers or direct discharges into the ponds as many in the neighborhood contend. The smell is from the natural process of reduction through an anaerobic bacteria reaction. This reaction happens at night which produces H₂S (Hydrogen Sulfide) gas. Once the sun rises the algae starts producing oxygen and the anaerobic process stops. Both Raven and Laguna de Cuervo ponds have ground water that has surfaced to a depth of 2-8 inches deep over 80% of the pond foot print(s). AMAFCA placed larvicide in all AMAFCA facilities that hold water during the first week of May. The larvicide should reduce the number of mosquitoes that reach maturity. During the May 23, 2018 meeting, Commissioner Quezada requested that additional water quality samples be taken to verify that sewage was not present in the pond water. AMAFCA will sample the water looking for markers unique to humans. Commissioner Quezada asked that AMAFCA follow up with a publicized public meeting in the near future.

Lower Bear Tributary Water Quality Pilot Project Public Meeting: AMAFCA hosted a public meeting to gather input from the neighborhood concerning the Lower Bear Tributary Water Quality Pilot Project. Director Eichenberg greeted the audience and facilitated public input concerning the aesthetics associated with the project. The project was well received and AMAFCA staff obtained valuable public input.

Staff Acknowledgment for Job Well Done: Gratitude was extended to all AMAFCA staff for a job well done during three weeks in May. Mr. Lovato needed to attend to family issues and was in and out of the office. The professionalism and expertise exhibited during the absences confirmed that AMAFCA is an exemplary organization.

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 14 through 16** 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:

- Authorized advertisement for Construction Bids for the Miscellaneous AMAFCA Construction Projects 2018; and
- Accepted Statements of Interest from AUI, Inc, CBKN Dirtworks, Inc., New Mexico Underground Utilities, Inc., and Salls Brothers Construction, Inc., for the Design, Bidability, and Constructability Services Reviews; and
- Approved Out of State Travel for the Water Environmental Federation Technical Exhibition and Conference in New Orleans, Louisiana and the iWorQ Summit in Logan, Utah.

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

12. 2018 General Obligation Bond Sale

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a. 2018 Bond Sale Briefing by George K. Baum

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, introduced Mr. Raheel Hirji with George K. Baum. Mr. Hirji and Mr. John Archuleta answered questions from the Board.

b. Bond Sale

The IPREO Parity platform was pulled up showing the list of potential bidders. Morgan Stanley was noted as the lowest bidder for the AMAFCA Bond Sale. The interest rate came in at 2.39%. Mr. Alsop stated Modrall would prepare the Resolution and come back to the Board later in the meeting. Chair Brown thanked George K. Baum and AMAFCA staff for the work done and the impressive results.

17. Eastern Alvarado Feasibility Study – Project Results

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Mr. Bingham introduced Mr. Farshad Omidvaran with WSP. Part of Mr. Omidvaran's presentation recapped the project area, Hydrologic Method and Results to include Methodology and Results; Storm Drain Profiles Existing Conditions; Hydraulics Results of Existing Conditions on both Campus Wash and San Mateo North Systems; Existing Storm Drain, Proposed Pond, and Proposed Improvements; Maximum Storage Volume is 32 acre feet with pond depth from 14 to 18 feet; Proposed Easter/Alvarado Pond Configuration and Effects on Campus Wash and San Mateo North Systems; and Existing and Proposed Mapped Floodplains. There was a discussion regarding the proposed Veteran's Reintegration Center and Police Substation; two City Councilors are interested in developing the area; however, floodplain needs to be removed and one site is closer to the Veterans Hospital than another site, various options for property that CoA could purchase as well as area already owned by CoA; would the Feasibility Study will be shared with CoA; AMAFCA should not do anything until CoA does something with either land they own or makes a purchase for the proposed Veteran's Reintegration Center and Police Substation; and come back to AMAFCA with their plan(s).

18. Boca Negra DMP Update – Project Update

a. Existing Conditions

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Mr. Bingham introduced Ms. Sarah Ganley with Bohannon Huston. Part of Ms. Ganley's presentation recapped the study of what contributes upstream into the Boca Negra Dam; State of Practice for planning and design in Albuquerque is to use AMAFCA hydrologic modeling methodology in conjunction with the Hydrologic Engineering Center's Hydraulic Modeling System (HEC-HMS). This project updated existing and planned watershed development information done by Resource Technology, Inc. in 2005 for the area of watershed for Double Eagle Airport and Calabacillas West Branch Drainage Maintenance Plans (DMP); Boca Negra Detention Dam was completed in 2015; the planned Paseo del Volcan (PdN) Diversion was found infeasible in 2015; PdN Diversion removed from Boca Negra and Calabacillas West Branch DMP and the AMAFCA Project Schedule; Existing Conditions Hydrologic Model and Results; Developed Conditions Hydrologic Models 1 to 5; Hydrologic Engineering Centers River Analysis System (HEC-RAS) Model Extents; Tetra Tech's Sediment and Erosion Analysis; and summarized that Developed Conditions Models would need to keep

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Water Surface Elevation in Boca Negra Dam below the emergency spillway; there is an option to remove diversion from Upper Piedras Marcadas watershed; detention options downstream section on land in the Petroglyph National Monument that is considered the North Geological Window (NGW) are limited and a more detailed analysis of conceptual NGW detention facility hydraulics is needed. There was a brief discussion regarding a storm overtopping; the watershed is more challenging due to current development in the area, and that the purpose of the Boca Negra Dam is to control flows going into the existing channel, not for the 100-year storm.

b. Consideration for Approval of Amendment Two

This item was removed earlier in the meeting.

19. Resolution 2018-08, Adoption of the Calabacillas Arroyo Facility Plan

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo and answered questions from the Board.

Director Thomson made a motion that the Board adopt Resolution 2018-08, Calabacillas Arroyo Facility Plan, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Borrego seconded the motion, which passed (4-0), on a roll-call vote. Director Eichenberg abstained due to a potential conflict.

20. Resolution 2018-09, General Obligation Bond Award

Mr. Daniel Alsop with Modrall walked the Board through the steps for approval. He requested two separate motions.

Director Borrego made a motion that the Board accept the Bond sale bid from Morgan Stanley. Director Eichenberg seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

Director Eichenberg made a motion that the Board approve Resolution 2018-09, General Obligation Bond Award, and authorize the Chair and Secretary to execute the same on behalf of AMAFCA. Director Borrego seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

21. 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

Mr. Nolan Bennett, AMAFCA Field Engineer, advised there were no issues on the report.

22. UNM Hydraulic Modeling and Technical Assistance Proposal – Consideration for Approval of FY-2019 Funding Agreement

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

Director Borrego made a motion that the Board authorize the Executive Engineer to execute the necessary proposal acceptance form for the UNM Open Channel Modeling and Technical Assistance proposal for Fiscal Year 2019. Director Stover seconded the motion, which passed (4-0). Chair Thomson recused himself due to potential conflict.

23. Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project – Approval of Amendment to the Funding Agreement with the City of Albuquerque

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board.

Director Eichenberg made a motion that the Board approve Amendment One of the Funding Agreement for the Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project with the City of Albuquerque. Director Thomson seconded the motion, which passed (5-0).

24. Real Estate

a. Balloon Fiesta – Approval of Third Extension of License to City of Albuquerque Balloon Fiesta 2018

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

Director Stover made a motion that the Board authorize the Chair to execute the extension for the 2018 Balloon Fiesta License with the City of Albuquerque. Director Thomson seconded the motion, which passed (5-0).

b. Lot 11, Block 11, Tract 3, Unit 3 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 11 of Block 11, Tract 3, Unit 3 of North Albuquerque Acres. Director Stover seconded the motion, which passed (5-0).

c. Lot 540, Sandia Heights South, Unit 5 Drainage Easement

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

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Director Eichenberg made a motion that the Board accept the Grant of Easement for Lot 540 of Unit 5 of Sandia Heights Subdivision. Director Stover seconded the motion, which passed (5-0).

25. Montano Levee – Project Update

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. Mr. Lovato referred to the letter received by AMAFCA that has stopped the project and will result in the possible endangerment of the general public traveling on the Montano Bridge and business and residents located between Coors and the Rio Grande not protected by a levee. There was a brief discussion regarding the constant request for information from the NM Department of Homeland Security: how the parities are complying with the various requests, and how information supplied leads to more information needed. Mr. Roger Ebner with CoA Emergency Management provided his own comments; however, advised he could update the Board at another time on the CoA's official response. This item to be continued in closed session.

Items 27 Unfinished Business and 28 New Business were moved up at this time.

27. Unfinished Business

None.

28. New Business

None.

26. Executive Session (closed)

The Board had requested, and AMAFCA Legal Counsel concurred, that Item 25 Montano Levee be continued in Closed Session.

- 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 25, 26a, and 26b 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 Pending Litigation and the Acquisition of Real Property. Director Thomson 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. Nolan Bennett remain for the pending litigation discussion on Montano Levee, and that Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, and Mr. Kevin Troutman, AMAFCA GIS Manager, be present for the Real Estate item(s).

Chair Brown closed the meeting at 1:02 p.m. Chair Brown asked for a motion to re-open the meeting at 1:53 p.m. Director Thomson made a motion that the meeting be re-opened. Director

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Stover seconded the motion, which passed unanimously (4-0), on a roll call vote. Director Borrego left the meeting right after the Montano Levee discussion. Chair Brown stated that no action was taken during the Closed Session. He further stated that pending litigation and the acquisition of real property were discussed and staff had been provided with direction on how to proceed.

29. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:54 p.m.

Deborah L. Stover, Secretary-Treasurer, 6/28/18

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.