



**Albuquerque Metropolitan  
Arroyo Flood Control Authority  
Regular Meeting Minutes  
January 24, 2019  
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**1. Call to Order and Roll Call**

Chair Brown called the Regular Board Meeting to order at 10:00 a.m., Thursday, January 24, 2019. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego Director Tim Eichenberg – left at 12:47 p.m. 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**

There was a brief discussion on the Revised Agenda. Director Eichenberg made a motion to approve the agenda. Director Borrego seconded the motion, which passed (5-0).

**3. Meetings Scheduled**

- a. February 28, 2019, 10:00 a.m. – Regular Meeting**
- b. March 28, 2019, 10:00 a.m. – Regular Meeting**
- c. April 25, 2019, 10:00 a.m. – Regular Meeting**

There were no changes made to the dates listed above.

**4. Election of Officers**

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

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Director Eichenberg nominated the current officers to serve in the same positions they held for the 2018 term. There was a brief discussion regarding how the last year flowed with the Board Officers elected and those who would be running during the 2019 General Election. There were no objections for the nomination(s) as presented.

Director Eichenberg made a motion to approve the Board positions as discussed. Director Borrego seconded the motion, which passed unanimously (5-0).

The 2019 Board Officers are:

Ronald D. Brown, Chair  
Bruce M. Thomson, Vice Chair  
Deborah L. Stover, Secretary-Treasurer  
Tim Eichenberg, Assistant Secretary-Treasurer

### **5. Appointment to Boards and Committees**

There was a brief discussion on the various appointments to the MRCOG Boards and AMAFCA Committees. This item would be handled at a later date.

### **6. Items from the Floor/Public Comments**

Mr. Nolan Bennett, AMAFCA Field Engineer, introduced AMAFCA's new Engineer I, Mr. Jared Romero (former UNM Engineering Intern). Mr. Romero addressed the Board, stated he was a recent graduate, and was very happy to be chosen for the Engineer I position. Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, introduced AMAFCA's new UNM Intern, Ms. Cassy McClintock. Ms. McClintock stated she finished her Bachelor's Degree in Civil Engineering and one semester for her Master's Degree. The Board welcomed Mr. Romero and Ms. McClintock to their new positions.

### **7. Approval of Resolution 2019-01, Open Meetings Standards**

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

Director Eichenberg made a motion that the Board approve and adopt Resolution 2019-01, Open Meetings Standards, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Stover seconded the motion. The motion passed unanimously (5-0), on a roll-call vote.

### **8. Approval of Minutes**

#### **a. December 13, 2018**

Director Thomson requested a minor change. Director Eichenberg made a motion to approve the minutes of December 13, 2018, as amended. Director Stover seconded the motion, which passed (5-0).

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### b. December 18, 2018

Director Borrego made a motion to approve the minutes of December 18, 2018. Director Stover seconded the motion, which passed (3-0). Directors Eichenberg and Thomson abstained due to not being present at the meeting.

## 9. Executive Engineer's Report

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

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, referenced the handout which highlighted significant activities from the previous month and answered questions from the Board.

- **Governmental Affairs**

#### **City of Albuquerque (CoA)**

*Caravan Site:* Progress had been made on the draft funding agreement with CoA to build a regional drainage facility and improvements to the Dallas Storm Drain System as part of the new City Library on Central Avenue. Staff has had discussions with Mr. Patrick Montoya (present at Board meeting), to determine the best frame work to address CoA's concerns. CoA would allow a small portion of Central drainage to be diverted to the site to remove flood plain at Louisiana and Central. CoA is ready to maintain the facility. The draft agreement would address funding the land purchases, design and construction. and would be ready for the Board review at the February Meeting.

*UNM North Golf Course:* Staff had been contacted by the University of New Mexico and representatives of the North Campus Neighborhood Association concerning the latest version of the temporary easement agreement. AMAFCA is currently rewriting a new easement that would require UNM to maintain the facility in perpetuity.

*Kirtland Air Force Base (KAFB):* AMAFCA staff had been in discussions with KAFB concerning the eastern and western boundaries of the military installation that cross the Tijeras Arroyo. KAFB would like to partner with AMAFCA to fast track the design and construction of two drop structures to address bed erosion(s) in the arroyo as well as national security issues on KAFB. AMAFCA and KAFB staff are working on a draft agreement that outlines funding, responsibilities, and a timeline for the work. The agreement would be ready for the Board review and approval at the February Meeting.

- **Planning, Engineering, & R&D**

*Tijeras Arroyo Facility Plan:* AMAFCA had been contacted by KAFB to partner on two flood control structures identified in the Tijeras Arroyo Facility Plan. The Board previously directed staff to approach possible private / public partnerships in the same way that was used for projects associated with the Calabacillas Arroyo. The cost for facilities on the Tijeras Arroyo are about three times the cost of facilities on the Calabacillas. The flows into the Tijeras are three times the amount in the Calabacillas. The estimated cost for the two structures are estimated to be between \$10M to \$12M. To ensure that federal funding

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is available for the project in 2020, AMAFCA is requesting the Board allow the advertisement of two request for proposals to concurrently design the structures. The work would be managed by AMAFCA to ensure that the environmental clearances are obtained concurrently with the design of the projects. The proposed scope of work would mirror what AMAFCA had done with the design and construction of the Gibson and Louisiana Regional Flood Control Facility that is currently under construction.

Mr. Ron Bohannon, who represents private development interests, had asked to address the Board at the February Meeting concerning an alternative funding schedule.

*North Diversion Channel Outfall Project:* AMAFCA has documented the current condition of the completed structure and as-built elevations. The as-built condition is currently being compared to the as-built drawings, original design, and the UNM physical model.

**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 over the last month. There were no questions.

**10. Financial Matters**

**a. FY 19 Budget to Actual – Mid-Year Budget Recap Operating Budget**

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 December 2018 Expenditures**

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

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

**d. Financial Position Recap December 11, 2018 through January 15, 2019 & Forecast January 16, 2019 through February 15, 2019**

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

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

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

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. Responding to a question on the Agency and Area-Wide contract, Mr. Nolan Bennett provided a breakdown of the current and upcoming contracts.

**f. Other Matters**

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

**11. Personnel and Salary Committee**

**a. Approval of Resolution 2019-02 AMAFCA Compensation Policy**

This Resolution takes care of an omission mistake found in Resolution 2018-11.

Director Borrego made a motion that the Board adopt Resolution 2019-02, Employee Compensation Policy, which took care of a mistake on the previous Resolution. Director Stover seconded the motion, which passed unanimously (5-0), on a roll call vote.

**12. 2019 Board of Directors Election - Update**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. The Board had inquired on whether there would still be the 50-signature requirement and if a filing fee would be needed. Mr. Chavez stated he would inquire during the upcoming Local Election Act (LEA) training. Mr. Lovato stated that in the AMAFCA Enabling Legislation 50 signatures were required, but it was not clarified in the LEA. Attorney Autio advised that it is anticipated there would be a Bill or Amendment this session to clarify the LEA.

**13. Legal**

**a. Legal Status**

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

**14. AMAFCA FY18 CAFR – Approval of the FY18 Comprehensive Annual Financial Report**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, introduced Mr. Danny Martinez with Carr, Riggs, and Ingram. Mr. Martinez covered items such as Timeline; Auditors' Reports; Financial Statement Highlights; Value Added Suggestions; Potential 2019 State Audit Rule Changes; and upcoming Training during the 2019 Association of Governmental Auditors Professional Development Conference. There were no questions.

**15. Financial Outlook – Presentation by George K. Baum**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, introduced Mr. John Archuleta with George K. Baum. Mr. Archuleta introduced Mr. Mark Dispense from the George K. Baum Colorado office. A brief recap of the presentation covered Interest Rates; US Treasury Curve; Municipal Bonds; Market Change; Rate Cut; Debt Ceiling Deadline; China Trade Deadline; Bad World News = lower bond rates at local level; and Green Bonds. Green Bonds are considered a Socially Responsible Bond; investors push to be compliant with four best practices; and Cautioned that there is no pricing benefit at this time. There was a brief discussion on how doing Green Bonds might work; information would need to be posted on the Municipal Securities Rulemaking Board (MSRB) website; it would be more work for the AMAFCA Finance and Administration Manager; and Green Bonds could open local money. Mr. Archuleta recapped the possible schedule should the Board wish to issue a Bond in Spring.

**16. Legislative Liaison – Briefing on the 2019 New Mexico Legislative Session**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, referred the Board to the information provided by the Legislative Liaison. He stressed that should the Board need clarification on any item or have questions he would get the word out to the Legislative Liaison and was confident he could have a response that same day.

**17. Joint Projects – Bernalillo County**

**a. Sunport Commerce Center Transportation Plan Project Introduction**

Ms. Nicole Friedt, AMAFCA Drainage Review Engineer, introduced Mr. Richard Meadows with Bernalillo County (BernCo). Part of the presentation covered BernCo's Plan Overview for the project that included Major Roadways; Design Overlay Zone; Transportation Plan Parallel Effort; Economic Conditions; Transportation Network; Roadway Design Standards; Implementation; and BernCo's Capital Projects noting funding is needed for the Projects with Commerce Center Avenue a first priority and Channel Road as a second priority.

**18. Joint Projects – City of Albuquerque**

**a. Marble Arno Pump Station – Project Update**

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, introduced Ms. Shellie Easton, CoA Project Manager. Ms. Easton presented a recap of the Marble Arno Pump Station Project. Part of the presentation covered a 50% Design presented to DRC on January 3, 2019 with minimal comments received; there had been coordination with the Albuquerque / Bernalillo County Water Utility Authority on the project; and the next deliverable would be in April on 90% drawings. There was a brief discussion regarding construction not happening for another 6 to 10 years; the land (joint AMAFCA / CoA purchase) was bought back in 2005; the Drainage Management Plan was done three years later; projects have been programmed in since then; and this area is an eyesore which happens to be the gateway to Downtown. Mr. David Campbell, CoA Planning Director, covered the various problems and positives in the area. He stressed that CoA has full intentions of completing the project as well as redevelopment in the area. The Board thanked Mr. Campbell for his time and stressed that this project is long overdue.

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### **19. West I-40 Drainage Management Plan**

#### **a. Introduction to Anticipated Plan Update**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated land in the area was once owned by Westland Development Co, then SunCal, then purchased by Western Albuquerque Land Holdings, Inc. (WALH); SunCal helped with the West I-40 Diversion to protect the South Valley with \$27M infrastructure to capture and divert stormwater to the east; and WALH funded a portion to drain back into East Amole Surge Pond.

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, introduced Mr. Craig Hoover and Mr. Michael Balaskovitz with Bohannon Huston. WALH is their client for this project. The project contains a portion of the watershed, above the Atrisco Terrace Open Space, that is programmed to drain to the Ladera system. WALH and Bohannon staff are evaluating the plan to see if it would be more beneficial to have this sub-watershed drain to the West I-40 system. Mr. Hoover covered the various DMP time lines and components (Bohannon Huston authored the DMPs for AMAFCA in 2000, 2006, and 2011) which were broken down in the Board memo. Mr. Balaskovitz stated the regarding if the project had gone through the BernCo process for Level B; 2013 was the last time storm water was left on the Golf Course; the Ladera System is detaining flow of water to river; over the years there had been a number of improvements made which included 10 out of 15 Dams taken out of the Jurisdictional Dam determination; Dam 15 is the largest dam; Dams 10, 12, & 14 exceed 50 acre feet; and the remaining Dams are under 40 acre feet for a total of 2,000 acre feet; and the West I-40 has the capacity and no peak flows would be exceeded.

### **20. Louisiana Gibson Regional Drainage Facility**

#### **a. Project Update**

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

#### **b. Approval of Change Order**

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board.

Director Thomson made a motion to that the Board approve and authorize the Executive Engineer to sign the change order in the amount of \$41,465.40. Director Borrego seconded the motion, which passed (5-0).

### **21. Tijeras Arroyo Sediment Retention Structure Phase II**

#### **a. Project Update**

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

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**b. Approval of Amendment Eight for Construction Management Services with Weston Solutions**

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

Director Thomson made a motion to approve the eight amendment to the contract with Weston Solutions, Inc., for Construction Management Services for the Tijeras Arroyo Sediment Retention Structure Phase 2. Director Stover seconded the motion, which passed (5-0).

**c. Award of Construction Contract to Qualified Bidder**

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo. There were no questions.

Director Thomson made a motion that the Board award the construction project to Guzman Construction Solutions in the amount of \$1,107,776.09, plus New Mexico Gross Receipts Tax for the Tijeras Arroyo Sediment Retention Structure Phase II Project. Director Borrego seconded the motion, which passed (5-0).

**22. Lower Bear Arroyo Tributary Arroyo Regional Flood Control and Water Quality Improvement Project**

**a. Project Update**

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo. There were no questions.

**b. Award of Construction Contract to Qualified Bidder**

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo. There were no questions.

Director Eichenberg made a motion that the Board award the construction project to GandyDancer, LLC in the amount of \$1,238,273.70, plus New Mexico Gross Receipts Tax for the Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project. Director Borrego seconded the motion, which passed (4-0). Director Thomson was not present during this item.

**23. 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.

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**b. Construction Report**

There were no questions on this item.

**24. AMAFCA Maintenance Contracts**

**a. Manual Trash Removal – Authorization to Bid**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo. There were no questions.

Director Stover made a motion to authorize AMAFCA to advertise for bids for Manual Trash and Debris Removal from Flood Control Facilities. Director Thomson seconded the motion, which passed (5-0).

**b. Mechanical Trash Removal – Authorization to Bid**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo. There were no questions.

Director Stover made a motion to authorize AMAFCA to advertise for bids for Mechanical Trash and Debris Removal from Flood Control Facilities. Director Thomson seconded the motion, which passed (5-0).

Director Eichenberg left the meeting at 12:47 p.m.

**25. Real Estate**

**a. Lot 22, Block 9, Tract 3, Unit 2 NAA – Acceptance of Drainage Easement**

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

Director Stover made a motion that the Board authorize the Chair to accept the Grant of Easement for Lot 22 of Block 9, Tract 3, Unit 2 of North Albuquerque Acres. Director Borrego seconded the motion, which passed (4-0).

**b. Lot 5, Block 1, Tract 3, Unit 1 NAA – Quitclaim of Existing Easement**

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

Director Thomson made a motion that the Board authorize the Chair to accept the Quitclaim of Easement for Lot 5 of Block 1, Tract 3, Unit 1 of North Albuquerque Acres. Director Stover seconded the motion, which passed (4-0).

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**c. Lot 5, Block 1, Tract 3, Unit 1 NAA – Acceptance of Drainage Easement**

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

Director Thomson made a motion that the Board authorize the Chair to accept the Grant of Easement for Lot 5 of Block 1, Tract 3, Unit 1 of North Albuquerque Acres. Director Stover seconded the motion, which passed (4-0).

**d. Turnkey Projects**

**i. Horizon Village Subdivision – Project Introduction**

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

**ii. Ascension Subdivision – Project Introduction**

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

**26. Executive Session (closed)**

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

Chair Brown advised Item 26a was a Closed Session agenda item. Director Borrego 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 the Acquisition of Real Property. Director Thomson 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, remain.

Chair Brown closed the meeting at 1:08 p.m. Chair Brown asked for a motion to re-open the meeting at 1:26 p.m. Director Thomson made a motion that the meeting be re-opened. Director Stover seconded the motion, which passed unanimously (4-0), on a roll call vote. Director Thomson stated that no action was taken during the Closed Session, pending acquisition of real property was discussed, and staff had been provided with direction on how to proceed.

**27. Unfinished Business**

None.

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**28. New Business**

The Board was reminded that their package contained the Annual Board paperwork for completion.

**29. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 1:26 p.m.

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Deborah L. Stover, Secretary-Treasurer, 2/28/19

*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.*