



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**December 12, 2019**  
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**1. Call to Order and Roll Call**

Chair Brown called the Regular Board Meeting to order at 10:05 a.m., Thursday, December 12, 2019. Roll was noted as follows:

Directors present:	Chair Ronald D. Brown Director Cynthia D. Borrego Director Deborah L. Stover Director Bruce M. Thomson
Directors excused:	Director Tim Eichenberg
Attorney present:	Randy Autio, 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**

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

**3. Meetings Scheduled**

- a. January 02, 2020, 10:00 a.m. – Special Meeting**
- b. January 23, 2020, 10:00 a.m. – Regular Meeting**
- c. February 27, 2020, 10:00 a.m. – Regular Meeting**
- d. March 26, 2020, 10:00 a.m. – Regular Meeting**

Director Stover advised she would not be available for the January 02, 2020 Special Meeting. There were no changes to the schedule.

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

None.

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## 5. Approval of Minutes

### a. November 21, 2019

Director Thomson made a motion to approve the minutes of November 21, 2019. Director Borrego seconded the motion, which passed (4-0).

Chair Brown stated that **Agenda Items 6 a and 6 b** were on the Consent Agenda. Director Borrego made a motion that the Board accept the items on the Consent Agenda.

The motion approved the following:

- On-Call Engineering Service Contracts with Smith Engineering Company, Parametrix, Inc., WHPacific, Inc., an NV5 Company, Bohannon Huston, Inc., Stantec Consulting Services, Inc., HDR Engineering, Inc., Thompson Engineering Consultants, Inc., Huitt-Zollars, Inc., WSP USA, Inc., River Restoration Org., LLC, ESP Associates, Inc., Conley Engineering, LLC., AECOM Technical Services, Inc., Weston Solutions, Inc., Wilson & Company, Inc., Engineers & Architects, Molzen Corbin, Ecosphere Environmental Services, Inc., Daniel B. Stephens & Associates, Inc., and Tetra Tech, Inc.; and
- On-Call GIS and Technology Support Services Contract with Stantec Consulting Services, Inc.

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

## 7. 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 past month and answered questions from the Board.

- **General & Administrative**

*2020 Capital Outlay:* This is the second year that AMAFCA participated in the capital outlay process. It was AMAFCA's intention to place construction projects on the list which turned out to be a mistake. Given that AMAFCA projects are large, staff found that it would be better to work with the City of Albuquerque (CoA) and Bernalillo County (BernCo) on joint project requests since it does not work for smaller requests (\$200K or less). AMAFCA had been informed of place holders in their respective requests. AMAFCA's lobbyists are working with CoA and BernCo's lobbyists to make sure requests are coordinated appropriately.

*On-Call Aerial Photography Services:* The Board requested a summary of work done under the AMAFCA On-Call Contract for aerial photography. This work includes aerial surveillance of both AMAFCA and turnkey construction projects that are in progress as well as aerial photography needed for studies, engineering designs and the 2020 AMAFCA Project Schedule. The total spent this calendar year is \$53,543. Responding to a question

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regarding aerial photography versus drone work, Mr. Lovato stated that the drone can only go so high and aeriels would be able to capture the project(s) in its entirety. For example: the Black Mesa Three Dam Outlet Projects or the Juan Tabo Hills scour wall project.

*Hazard Mitigation Plan 2020:* In 2015, AMAFCA jointly funded the creation of the Hazard Mitigation Plan. The plan is good for five years and is due to be updated. Staff is working with Mr. Roger Ebner, with CoA. CoA would be managing with BernCo and AMAFCA funding \$11K each and the Village of Los Ranchos \$5K.

*UNM North Golf Course:* UNM requested information to be included in the agreement. AMAFCA anticipates having the agreement updated by the end of the year. AMAFCA will have permanent access to the project and UNM will maintain the facility. AMAFCA would only be responsible for catastrophic failures.

### Public Outreach

*Twinkle Light Parade:* The 2019 Twinkle Light Parade took place on December 7, 2019. AMAFCA's float had the most participants / riders in AMAFCA's history and the parade crowd was the biggest to date.

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

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, referred to the memo for task orders issued over the last few months. There were no questions.

### **8. Financial Matters**

#### **a. FY 20 Budget to Actual**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board. He noted that property tax payments would be lower than previous years; \$30K this year versus \$800K originally forecasted. The BernCo Treasurer's office sent property tax bills out a month later this year.

#### **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 November 2019 Expenditures**

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

Director Borrego made a motion to approve the November 2019 Expenditure Report. Director Thomson seconded the motion, which passed (4-0).

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**d. Financial Position Recap November 16, 2019 through December 10, 2019 & Forecast December 11, 2019 through January 15, 2019**

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 (4-0).

**e. Fiduciary 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 Matters**

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

**9. Resolution 2019-22 – Approval of the 2019 AMAFCA Board of Directors Election Canvas**

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 Resolution 2019-22, 2019 Board of Directors Election Canvas. Director Stover seconded the motion, which passed (4-0), on a roll call vote.

**10. Naming and Memorial Committee**

**a. Establishment of an AMAFCA Naming and Memorial Committee**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo. Mr. Bennett referred the Board to the memo in their folder that included page two originally omitted from their copy / scan of the draft resolution. The presentation included Naming and Memorial Committee; Naming Policies; Memorial Policies; and Application Process. There was a brief discussion regarding two Board members and three staff members to form the Naming and Memorial Committee. Staff recommended the AMAFCA Board of Director's Strategic Planning Committee, AMAFCA Executive Engineer, Field Engineer, and Finance and Administration Manager. The Board agreed that the Strategic Planning Committee would review applications received, appoint individuals to the Naming and Memorial Committee, and depending on circumstances, other Board members may be involved. Responding to a question on the process for a member of the community, Mr. Bennett stated a person can put in an application to the AMAFCA Executive Engineer.

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**b. Boca Negra Dam – Memorial Plaque Update**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered questions from the Board. Mr. Bennett stressed AMAFCA does not have a process for this type of project so Board guidance and concurrence would be needed to move forward. The wording, as presented at the November 2019 meeting, was agreed upon. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated AMAFCA was ready to buy the granite, the rock would need to be modified in order to place in the granite. The plaque would have white text on a black background. Responding to a question on the plaque material, Mr. Lovato stated it would need to be granite since copper or brass would be stolen. It was suggested not to have the words in cursive so that even children could read.

**11. Legal**

**a. Status Report**

Attorney Randy Autio summarized information provided in the memo.

**12. West Branch Calabacillas Arroyo Grade Control Structures – Consideration of Approval of Funding Agreement for Design, Construction, and Management with Central New Mexico Community College**

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

Director Borrego made a motion that the Board approve the Cost Share Agreement for the Design, Construction, and Management of Grade Control Structures with the Central New Mexico Community College. Director Stover seconded the motion, which passed (4-0).

**13. Real Estate**

**a. Lot 20, Block 12, Tract 3, Unit 2 of North Albuquerque Acres – Acceptance of Drainage Easement**

Ms. Nicole M. 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 20 of Block 12, Tract 3, Unit 2 of North Albuquerque Acres. Director Stover seconded the motion, which passed (4-0).

**b. Transfer of North Albuquerque Acres Drainage Easements to Bernalillo County**

Ms. Nicole M. Friedt, AMAFCA Drainage Review Engineer, summarized information provided in the memo and answered questions from the Board. She stressed AMAFCA is proposing that

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AMAFCA retain oversight of a total of 907 parcels, including parcels already owned by AMAFCA, with drainage conveyance ranging from approximately 300 cubic feet per second (cfs) to 3,000 cfs. This oversight would allow AMAFCA to maintain the opportunity to construct future facilities, as needed. The parcels were selected using FEMA mapped floodplain extents and AMAFCA review to determine the minimum extent of the selection, plus a 50-foot buffer. Responding to what the next step would be, Ms. Friedt stated AMAFCA would need to go through files, easement by easement. Responding to a question on if this needs to go through the BernCo Commission there was a brief discussion. Mr. Roger Paul, BernCo Deputy County Manager, stated that approvals for action would go through the BernCo Manager's office; he would be surprised any one property would not fall within their jurisdiction; there may be one owner of multi-properties; this would be a combined effort from both AMAFCA and BernCo; AMAFCA had accepted the responsibility for decades; it is anticipated that this would function within BernCo like the system already in place for the New Mexico Department of Transportation driveway permits that the BernCo Manager signs off on; the big concern for BernCo is the budget cycle with the Right-of-Way personnel no longer under Public Works; and BernCo staff are working to provide a report to BernCo Manager by mid-January for approval in Spring 2020 for a July 1, 2020 start date. Responding to how the transfer to BernCo would work, Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated staff is working out the mechanisms and anticipated money to be involved since GIS would be included. He further stated transfers may have to come before the Board individually unless staff can figure out how to handle differently.

### **14. AMAFCA Projects**

#### **a. Construction Report**

Mr. Nolan Bennett, AMAFCA Field Engineer, referred the Board to the charts, stressing where the work and payments were reflected and noted there would be new additions to the report next month. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated he had spoken with the Surety (for the GandyDancer defaulted projects) and it is hoped negotiations would finish soon; the last three plus weeks have had a lot of conflict; the Surety knows they would pay more than they want too; Surety is proposing a Tender Agreement which staff does not support; AMAFCA Legal Counsel had drafted a Takeover Agreement; current estimate of liability damage is \$140K for each project; a Special Board meeting may be needed during the last week of December in order for contract to start first week of January.

#### **b. Black Mesa Three Dam Outlet Project – Phase III & Phase IV Update**

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

### **15. Unfinished Business**

None.

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**16. New Business**

None.

**17. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 11:21 a.m.

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Deborah L. Stover, Secretary-Treasurer, 1/23/2020

*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.*