



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
April 23, 2020
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1. Call to Order and Roll Call

Chair Thomson called the Board Meeting to order at 10:04 a.m., Thursday, April 23, 2020. The call was hosted via Zoom in order to comply with the Governor of New Mexico's Executive Order 2020-004, as well as the New Mexico Attorney General's Office on Open Government Division's Advisory During COVID-19 State of Public Health Emergency.

Directors present via Zoom: Chair Bruce M. Thomson
Director Cynthia D. Borrego
Director Tim Eichenberg
Director Deborah L. Stover
Director Ronald D. Brown

Directors excused: None

Attorney present via Zoom: Marcus Rael, Robles, Rael & Anaya

Others present via Zoom and / or in person: 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 **Agenda Item 13 c Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project – Approval to Update and Advertise for Construction Bids** and **13 d Agency & Area-Wide Flood Control Rehabilitation VIIIb – Approval to Update and Advertise for Construction Bids** be moved to after the Executive Session. Chair Thomson stated the items pertain to other issues in Executive Session.

Director Brown made a motion to approve the agenda, as amended. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

3. Meetings Scheduled

- a. May 28, 2020, 10:00 a.m. – Regular Meeting**
- b. June 25, 2020, 10:00 a.m. – Regular Meeting**
- c. July 23, 2020, 10:00 a.m. – Regular Meeting**

There were no changes to the above dates.

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4. Items from the Floor / Public Comments

No one present and no public comments received for meeting.

5. Approval of Minutes

a. April 7, 2020

Chair Thomson requested a couple minor changes. Director Brown made a motion to approve the minutes of April 7, 2020, as amended. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

Chair Thomson stated **Agenda Items 6 a through 6 e** 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:

- Albuquerque International Balloon Fiesta – First Extension; and
- Manual Trash Removal 2019 – First Extension; and
- Mechanical Trash Removal 2019 – First Extension; and
- Lot 16, Block 10, Tract 1, Unit 3 of North Albuquerque Acres Drainage Easement; and
- Calabacillas Arroyo West Branch Grade Control Structure Selection Advisory Committee Recommendation.

Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

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 previous month and answered questions from the Board.

- **General & Administrative**

Safety and Security – AMAFCA Staff: Security improvements at the AMAFCA Office are in place; however, the AMAFCA office will remain in a lock down condition. AMAFCA has instituted COVID-19 safety precautions. AMAFCA staff is maximizing the use of teleconferencing to interact with constituents and consultants.

COVID-19: AMAFCA staff have been working diligently to address the expanded FMLA as directed by the Public Health Emergency Leave Act. This work has included additional record keeping requirements needed for possible federal reimbursement.

GandyDancer Defaults: AMAFCA staff and the AMAFCA attorneys have been working diligently since the last Board Meeting. Discussions continue between the parties, as

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AMAFCA continues to provide security, maintenance, and permit compliance for both projects.

- **Planning and Engineering**

UNM North Golf Course: Staff is working to finalize the gabion structure design. The design will be submitted to UNM for review before a possible construction schedule is drafted next month.

City of Albuquerque Bond Program: AMAFCA staff is working with City of Albuquerque (CoA) staff to coordinate their capital improvement program associated with flood control facilities. Both programs would address possible joint projects.

- 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 month. There were no questions.

8. Financial Matters

- a. Financial Matters – Approval of Expenditures and Forecast**

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 March Expenditure Report. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

- b. Financial Position: Recap March 16, 2020 to April 15, 2020 & Forecast April 16, 2020 to May 15, 2020**

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

Director Brown made a motion to approve the Financial / Forecast Report. Director Borrego seconded the motion, which passed (5-0), on a roll-call vote.

- c. 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.

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9. Legal

a. Status Report

Attorney Marcus Rael summarized information provided in the memo. There were no questions.

10. AMAFCA Bond Program

a. Financial Advisor Introduction for AMAFCA Bond 2020 Outlook – Presentation by RBC Financial Services

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, introduced Mr. Erik Harrigan, Managing Director with RBC Capital Markets, LLC. Mr. Harrigan answered questions from the Board. Part of the presentation included RBCCM Qualifications; New Mexico Municipal Advisor Practice; Strong Commitment to New Mexico; Client Relationships within New Mexico; Albuquerque Staff; Tax Base and Debt Overview; Assessed Valuation; Tax Rate History; Current Outstanding Debt; Time Schedule; Municipal Market Update; Key Areas of Market Focus Going Forward; Economic Overview; Current Municipal Market Conditions – “AAA” MMD; and Municipal Bond Fund Flows.

b. Resolution 2020-06, 2020 Bond Election - Approval

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

Director Brown made a motion that the Board approve and adopt Resolution 2020-06, 2020 Bond Election and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Borrego seconded the motion. The motion passed unanimously (4-1), on a roll-call vote. Director Eichenberg voted no.

11. Resolution 2020-07, Adoption of West I-40 Uplands Drainage Management Plan

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 and adopt Resolution 2020-07, for the West I-40 Uplands Drainage Management Plan 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.

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12. Joint Projects – City of Albuquerque

a. Marble Arno Pump Station

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and advised that Mr. John Mackenzie with CoA was on the conference as well. There were no questions.

b. Indian School Bike Notch

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

13. AMAFCA Field Highlights

a. Field Report

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

b. Construction Report

Mr. Nolan Bennett, AMAFCA Field Engineer, referred the Board to the various charts. There were no questions.

Items 13 c and 13 d were move to after the Executive Session earlier in the meeting.

14. Real Estate

a. 8000 Zuni – Demolition Update

Mr. Jeffrey S. Willis, AMAFCA Real Estate Manager, summarized information provided in the memo. There were no questions. Chair Thomson complimented AMAFCA staff, and Mr. Willis in particular, for a fantastic job on the project.

15. AMAFCA FY-2021 Budget Draft Operating Fund Budget

a. Draft FY-2021 General Fund Budget

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

b. Draft FY-2021 Contingency Fund Budget

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

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c. Draft FY-2021 Unassigned Fund Budget

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

d. Draft FY-2021 Acquisitions & Savings Fund Budget

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

e. Draft FY-2021 Construction Fund Budget

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

f. Draft FY-2021 Agency & Area-Wide Fund Budget

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

g. Draft FY-2021 Debt Service Fund Budget

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

h. Draft FY-2021 Fiduciary Fund Budget

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

16. Executive Session (closed)

a. Discussion of Threatened or Pending Litigation (§10-15-1(H)(7))

Chair Thomson advised **Agenda Item 16 a** was a Closed Session agenda item. Director Stover 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 Threatened or Pending Litigation. Director Borrego seconded the motion, which passed unanimously (5-0), on a roll call vote. Mr. Lovato and Legal Counsel were to remain.

Chair Thomson closed the meeting at 11:47 a.m. Chair Thomson asked for a motion to re-open the meeting at 12:23 p.m. Director Borrego made a motion that the meeting be re-opened. Director Stover seconded the motion, which passed unanimously (5-0), on a roll call vote. Chair Thomson stated that no action was taken during the Closed Session, only items that pertained to Possible Litigation were discussed.

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Items 13 c and 13 d were moved earlier in the meeting.

c. Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project – Approval to Update and Advertise for Construction Bids

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo. There were no questions. The Board asked that going forward, people living near the project, as well as the Neighborhood Association, be notified about the process and the timetable on the project. Mr. Lovato agreed and stated that the local news stations who had reported on the project would be notified as well.

Director Eichenberg made a motion that the Board approve the update and advertise for the construction bids for the Lower Bear Tributary Arroyo Regional Flood Control and Water Quality Improvements Project. Director Stover seconded the motion. The motion passed unanimously (5-0), on a roll-call vote

d. Agency & Area-Wide Flood Control Rehabilitation VIIIb – Approval to Update and Advertise for Construction Bids

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo. There were no questions.

Director Stover made a motion that the Board approve the update and advertise for the construction bids for the Agency & Area-Wide Flood Control Rehabilitation VIIIb Project. Director Brown seconded the motion. The motion passed unanimously (5-0), on a roll-call vote

17. Unfinished Business

AMAFCA staff was asked to post the listing of birds and animals that were in the Field Highlights recap for Raven Pond. The list would be a great tool for Commissioner Quezada since there is a good possibility that there may be more complaints this summer. Mr. Nolan Bennett, AMAFCA Field Engineer, advised the kiosk at Raven Pond is constantly being vandalized; however, he would see that the list is posted.

18. New Business

None.

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19. Adjourn

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 12:42 p.m.

Deborah L. Stover, Secretary-Treasurer, 5/28/2020

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.