



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
August 27, 2020
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1. Call to Order and Roll Call

Audio interference was noted. The interference cleared up and the meeting resumed.

Chair Thomson called the Board Meeting to order at 10:01 a.m., Thursday, August 27, 2020. The call was hosted via Zoom in order to comply with AMAFCA Resolution No. 2020-05, a Resolution of the Governing Body of the Albuquerque Metropolitan Flood Control Authority, Authorizing the Exercise by Board of Directors of Amended Procedures for the Conduct of Public Meetings During the Effective Period of Executive Order No. 2020-004, Issued by the Governor of New Mexico on March 11, 2020.

Directors present via Zoom and /or in person	Chair Bruce M. Thomson – at AMAFCA Director Deborah L. Stover – at AMAFCA Director Ronald D. Brown Director Tim Eichenberg Director Cynthia D. Borrego
Directors excused:	None
Attorney present via Zoom:	William Zarr, Robles, Rael & Anaya
Others present via Zoom and / or in person:	Jerry M. Lovato, P.E., Executive Engineer – on the road Brad Bingham, Acting Executive Engineer Staff Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

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

3. Meetings Scheduled

- a. September 24, 2020, 10:00 a.m. – Regular Meeting**
- b. October 22, 2020, 10:00 a.m. – Regular Meeting**
- c. November 19, 2020, 10:00 a.m. – Regular Meeting**

There were no changes to the dates listed above.

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4. Items from the Floor / Public Comments

The following written (unedited) public comments were received on August 26, 2020 and sent to the Board of Directors.

From: [Hoffman, Jim](#)
To: amafca@amafca.org
Subject: RE: Public Comment - AMAFCA Board Meeting 08/27/2020
Date: Wednesday, August 26, 2020 11:45:30 AM
Attachments: [RAC Policy 2019.pdf](#)

AMAFCA Board,

I would still like to know who AMAFCA contacted at the City or MRCOG regarding the limited access roadway issue with the proposed acquisition of property for the Unser Pond. I have been unable to contact anyone at the City or MRCOG who had any interaction with AMAFCA regarding this matter. I am attaching the Roadway Access Control Policy from the MRCOG website that indicates:

Sponsor - All requests to modify roadway access from the limitations noted on the *Inventory of Roadway Access Limitations* must be sponsored by a member agency of the MPO (Sponsor) and have the concurrence of the agency with jurisdiction of the roadway.

For Unser Boulevard the City would be the member agency MPO sponsor

Respectfully,

James Hoffman

From: [GERALD GOLD](#)
To: amafca@amafca.org
Cc: [John Edward](#); [Jim Wible](#)
Subject: for board mtg 8/27
Date: Wednesday, August 26, 2020 11:38:57 AM

RE: Agenda item 12, Aug 27th meeting Re Upper Piedras drainage

To clarify a point made last time a drainage pond was discussed: Bedrock Partners was cooperating with Mr. Willis. We granted permission for AMAFCA to enter the property for surveys. We agreed to his purchase price, with the proviso that AMAFCA go to MRCOG to get the approved right in/out access from Unser Blvd to our property moved, and that the City of Albuquerque redraw the roadway plan to maintain our access to Unser.

I assume the process failed when he spoke to the City-- because Mr. Willis sent me a letter saying AMAFCA was no longer interested in acquiring the land for the drainage pond.

I would be glad to talk at the meeting.

Gerald Gold

Managing Member, Bedrock Partners LLC

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Chair Thomson asked if the Board wanted to hear from Mr. Jim Hoffman who had submitted written comments. Mr. Hoffman thanked the Board for allowing him to present and voiced his concerns. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, recapped some of the comments submitted by Mr. Gerald Gold (on preceding page). Mr. Hoffman was advised the item would be up for discussion later in the meeting, additional information had been sent, and the Board thanked Mr. Hoffman for his comments.

5. Approval of Minutes

a. July 23, 2020

Director Borrego made a motion to approve the minutes of July 23, 2020. Director Eichenberg seconded the motion, which passed (5-0), on a roll-call vote.

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

- Valle de Oro Drainage Facility Project – Executive Engineer to approve Amendment Fourteen to the Agreement for Design Services; and
- Post Fire Sediment Risk Assessment for AMAFCA Dams along the Sandia Mountains – Selection Advisory Committee Recommendation of RESPEC, Inc.; and
- AMAFCA Fleet – Executive Engineer to Purchase Equipment; and
- Lot 352 of Sandia Heights South Subdivision, Unit 3 in Bernalillo County Drainage Easement.

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

It was noted that Mr. Jerry M. Lovato, AMAFCA Executive Engineer, lost connectivity on the Zoom Conference. Items 7 a. and 7 b. were deferred until Mr. Lovato could log back in.

8. Financial Matters

a. Other Financial Matters

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo and answered questions from the Board. It was noted that the Finance Committee had met with staff regarding the Board reports. The Finance Committee had recommended that Board action would no longer be needed on the Forecast report. There was a brief discussion on why the reports would be changing. Responding to a question on if Board action was needed for the change, Mr. Chavez advised he did not believe it was needed; however, he would look into it and if so, it would be brought up during the next Board meeting. Mr. Chavez stressed Expenditures, including Credit Card Expenditures, would still be reported and important information would be expanded upon.

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Mr. Jerry M. Lovato, AMAFCA Executive Engineer, was back on the Zoom Conference. Items 7 a. and 7 b. were covered at this time.

7. Executive Engineer's Report

a. Notification of Past Month's Activities

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

- **General & Administrative**

COVID-19: AMAFCA instituted COVID-19 safety precautions in addition to staff maximizing the use of teleconferencing to interact with constituents and consultants. AMAFCA continues to update its COVID-19 Operational Policy to adhere to new CDC and State of New Mexico Health Department recommendations.

AMAFCA Personnel Manual: The AMAFCA Personnel Manual was last updated in 2015. Staff is currently working on edits that will be vetted by legal staff before being presented to the Personnel and Salary Committee. Staff hopes to have the revised document to the AMAFCA Board for approval at years end.

AMAFCA 2020 Bond Question: AMAFCA staff had been notified that the AMAFCA Bond question would be on the 2020 General Election Ballot.

AMAFCA Financial Presentation: Staff met with the Finance Committee to discuss Board presentations. Mr. Chavez had covered this item under 8 a.

- **Project Management**

Black Mesa Dam Outlet Raymac Dam to Don Felipe Dam Phase III Project: The project was suspended due MRGCD requesting excavation work not start until after irrigation season. The Project will start again November 1, 2020.

Joint Projects: Due to the COVID-19 Pandemic, the following projects have not moved forward: Drainage improvements at the UNM Golf Course, drainage improvements at the new library located at the former Caravan site, and design work with Kirtland Air Force Base for the grade control structures along the Tijeras Arroyo. Staff will meet with counter parts at the different agencies to move these important projects forward.

- **Facilities Operations & Maintenance**

Zuni-Penn: AMAFCA has been busy removing homeless camps, weeds, and trash from the property. It is hoped another contract will be out in the next two to three weeks to start to address stormwater management to clean the area and remove soils for a ponding area. Albuquerque Police Department (APD) had been contacted for assistance in removing the

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homeless. The fencing at the location had been removed for easier removal of the homeless. It was suggested that the tall weeds that can hide homeless individuals be removed.

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.

Item 8 a. Other Financial Matters had been presented earlier in the meeting.

9. Legal

a. Legal Status

Attorney William Zarr summarized information provided in the memo. There were no questions.

10. Recognition of Public Service

a. Recognition of Roger Paul, P.E., Retiring Bernalillo County Employee

Mr. Nolan Bennett, AMAFCA Field Engineer, introduced Mr. Roger Paul who had recently retired from Bernalillo County (BernCo). Mr. Bennett, who worked under Mr. Paul prior to coming to AMAFCA, recapped Mr. Paul's vast career going back to his time at Bohannon Huston on up through his most recent position as Deputy County Manager for Public Works at BernCo. He further extended the best of luck to Mr. Paul in his new Hawaiian adventures and thanked him for all the knowledge, support, collaboration, energy, and funding he brought to AMAFCA and flood control projects in the Albuquerque Metropolitan Area. Mr. Paul thanked the Board, followed up with various sentiments about AMAFCA and his career in general, and stated Mr. Elias Archuleta had been named as the new Deputy County Manager for Public Works. Mr. Paul was provided many accolades, congratulated by all, and wished well on his future endeavors.

11. Agreement for Funding the Design and Construction of the Marble Arno Pump Station – Approval of Amendment One

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and advised the contract had gone through AMAFCA legal. It was noted by the Board that AMAFCA was originally contributing \$6M to the project; however, due to the higher than expected construction costs AMAFCA is kicking in an extra \$800K. There were no questions.

Director Eichenberg made a motion that the Board approve Amendment One to the Agreement for the Design and Construction of the Marble Arno Pump Station. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

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12. Piedras Marcadas Watershed – Upper Piedras Marcadas Watershed Drainage Management Plan Review to Date

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, stated he, along with Mr. Jeff Willis, AMAFCA Real Estate Manager, would help with questions that the Board had pertaining to this item. Mr. Bingham clarified for Mr. Hoffman and those present on the Zoom conference that the Paseo del Norte pond is actually pond 2 and not pond 8 as listed in the Board memo. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, recapped the history and issues on the project going back to 2012. Mr. Bingham also clarified again that the pond is 2 and not pond 8. Pond 2 is the southeasterly pond that would allow development in the area; the Unser Pond is a two stage project that includes a piece of private property south of the Chamisa Pond built with the Boulder Subdivision; the location would be best, as opposed to the area in CoA Open Space, to adjoin the pond; the 10 acre track proposed is logical due to the area being close to 10-12 feet lower in elevation; embankment would need to be brought up on the east and south sides to match the pond elevation; a feasibility study to determine the conceptual shape and elevations of the pond was done. The Board asked if Mr. Willis, AMAFCA Real Estate Manager, had anything to add. Mr. Willis advised he was available for questions from the Board (no questions were raised).

Chair Thomson acknowledged Mr. John Edwards with the Edward Group was on Zoom for the referenced subject. (No comments had received to forward to the Board.) The Board concurred they would hear from Mr. Edward. Mr. Edward recapped history from his end and voiced concerns. The Board was asked if they wanted to continue with the item or have it scheduled for another meeting. There was a brief discussion on what is the long-term strategy; is AMAFCA or CoA driving the project; and if this is not on AMAFCA's long term agenda why has this been a discussion item. Mr. Lovato stated that the Board had asked AMAFCA to get involved since CoA is actively trying to provide drainage along Unser Boulevard and Paseo del Norte. AMAFCA has a facility to the east (Piedras Marcadas Dam) and needs to make sure the water is controlled. There is also a diversion going to the north along Unser Boulevard. The reason the Board is looking at it again is CoA has funding to look at road improvements along Unser and Paseo. It was the consensus of the Board that this item be discussed another time. It was suggested AMAFCA staff work with CoA and landowners (Messrs. Hoffman and Edward) in order to get better understanding on the constraints the Board is facing, responsibilities, where money is coming from, access, etcetera, and put together options for a formal Board presentation. The Board thanked Mr. Edward for his participation.

Audio interference was noted during this item which cleared up.

Director Borrego advised that she would be signing off for Item 13 and would come back on once the item was over. She left the Zoom conference at 11:09 a.m.

13. Tennyson Apartments – Development Near Pino Dam Turnkey Agreement with Titan – Approval of Turnkey Agreement

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. He stated he was asking for Board signatures at this time and he would hold the agreement for Titan to sign once they own the property.

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Director Stover made a motion that the Board approve the Turnkey Agreement for the Pino Arroyo Improvement as Related to the Tennyson Apartment Project. Director Eichenberg seconded the motion, which passed (3-0), on a roll-call vote. Director Borrego had signed off prior to the presentation and Director Brown recused himself noting that he has no issues other than he has property adjacent to the project and it complicates taking action on the item.

14. AMAFCA Field Highlights

a. Construction Report

Mr. Nolan Bennett, AMAFCA Field Engineer, referred the Board to the memo in their mailout and noted a blue dash line / forecast line had been added to the graphs. There were no questions.

15. Unfinished Business

None.

16. New Business

None.

17. Adjourn

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 11:16 a.m.

Deborah Stover, Secretary-Treasurer, 9/24/2020

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.