



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**November 19, 2020**  
**Page 1**

**1. Call to Order and Roll Call**

Chair Thomson called the Board Meeting to order at 10:02 a.m., Thursday, November 19, 2020 at the AMAFCA Office in Albuquerque, NM. 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    Chair Bruce M. Thomson  
   Director Ronald D. Brown  
   Director Cynthia D. Borrego  
   Director Tim Eichenberg  
   Director Deborah L. Stover

Directors excused:                    None

Attorney present via Zoom:    Marcus J. Rael, Jr., Robles, Rael & Anaya

Others present via Zoom        Jerry M. Lovato, P.E., Executive Engineer  
and / or in person:                Staff  
   Other attendees on file at AMAFCA

A quorum was present.

**2. Approval of Agenda**

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

**3. Meetings Scheduled**

- a. December 10, 2020, 10:00 a.m. – Regular Meeting**
- b. January 28, 2021, 10:00 a.m. – Regular Meeting**
- c. February 25, 2021, 10:00 a.m. – Regular Meeting**

No changes were made to the above dates.

## AMAFCA Regular Meeting Minutes

November 19, 2020

Page 2

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

One public comment was received from Mr. James Hoffman. Mr. Hoffman voiced his concerns and limited his comments to two minutes. The Board reminded those present that comments are to be limited to comments and not a question and answer session. Mr. Lovato would recap some items in the Executive Engineer report which pertain to this item.

### 5. Approval of Minutes

#### a. October 22, 2020

Director Borrego made a motion to approve the minutes of October 22, 2020. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

Chair Thomson stated **Agenda Items 6 a through 6 f** were on the Consent Agenda. Director Eichenberg made a motion that the Board accept the items on the Consent Agenda and advised he had questions for a couple of items.

The motion approved the following:

- Third / Final extension of On-Call Stormwater Quality / Environmental Engineer Services Contracts with CDM Smith, Inc., Bohannon Huston, Inc, Weston Solutions, Inc, and SWCA Environmental Consultants; and
- Stormwater Quality Education and Outreach Coordinator Services – Selection Advisory Committee Recommendation of Sunny 505; and
- First extension of Agricultural Lease – Herring Property Lease – with Ron Maestas; and
- First extension of Agricultural Lease – Raven Pond Lease – with James Moya; and
- First extension of Agricultural Lease – Rutherford Property Lease – with Jason Baca; and
- Third / Final extension of Jefferson Property / Embudo Arroyo Parking Lease — with Liberty Gym.

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

Questions were asked and answered regarding Stormwater Quality Education and Outreach Coordinator Services – Selection Advisory Committee Recommendation and the Third / Final extension of Jefferson Property / Embudo Arroyo Parking Lease — with Liberty Gym. The public was encouraged to seek assistance through State and Local governments if they are experiencing financial hardship paying rent (food insecurity, etc.),

### 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 and answered questions from the Board.

## AMAFCA Regular Meeting Minutes

November 19, 2020

Page 3

- **General & Administrative**

*COVID-19:* With the re-instatement of the stay home order by the Governor of New Mexico, AMAFCA revisited its COVID-19 safety precautions with all staff members. AMAFCA continues to update its COVID-19 Operational Policy to adhere to new CDC and State of New Mexico Health Department recommendations.

*AMAFCA Staffing:* Mr. Jeffery Willis, AMAFCA Real Estate Manager, is set to retire at the end of the year. The Real Estate Manager's position is currently being advertised and we hope to have a field of candidates to select from at year end. The Field Crew has been short one position since the beginning of the fiscal year. The Field Engineer and the Storm Water Quality Engineer have been discussing the augmentation of the field crew with an additional position and / or modify an existing position to allow AMAFCA field personnel to collect stormwater data and to maintain stormwater equipment. The Personnel and Salary Committee (PSC) have been briefed concerning the possible changes to AMAFCA staffing numbers and / or staff responsibilities. The proposed changes will be included in the draft 2020 Personnel Manual that is currently in staff/legal review before it will be given to the PSC.

- **Project Management**

*UNM North Golf Course Flood Plain Removal:* AMAFCA staff continues to contact property owners that are directly affected by the mapped FEMA floodplain along Haines due to deficiencies in the City of Albuquerque storm drain system. AMAFCA is still working on contacting all four property owners.

*UNM Hydraulics Lab – NDC “Bathtub” Model:* AMAFCA and UNM staff have restarted work on the model after suspending the work due to COVID-19. The design condition model was run and approved. The model has been modified to reflect existing conditions, but due to COVID-19, the UNM Hydraulic lab is closed. The possibility of a tour of the model, when UNM allows access, for any Board member, which may either be via Zoom or in person to comply with COVID-19 procedures.

*Joint Projects:* CoA – AMAFCA staff will be meeting with City of Albuquerque (CoA) staff after the Board Meeting to discuss future joint projects, joint funding, the CoA Bond Program, and specifically the Unser Pond. The Unser Pond as described would take water along Unser Boulevard. The Chamisa Pond expansion takes care of water below. This is a CoA issue; AMAFCA is not involved and does not have an interest in the area, but would have an interest if CoA gives AMAFCA access to the CoA property; CoA is apprehensive of giving AMAFCA a temporary construction easement on the project until they completely design Unser Boulevard and possibly portions of Paseo del Norte; at that point

## AMAFCA Regular Meeting Minutes

November 19, 2020

Page 4

they would make the decision on what property would be available for AMAFCA to use; and this could push the project out 18+ months.

The Upper Piedras Marcadas Pond, north of Paseo del Norte, requires a roadway easement from CoA and CoA is waiting for the Paseo del Norte design.

- **Facilities Operations & Maintenance**

*Zuni-Penn:* AMAFCA has been busy removing homeless camps, weeds, and trash from the property. AMAFCA staff is working with APD staff to clear the area and maintain safe conditions.

- 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 Stover made a motion to approve the October 2020 Expenditure Report. Director Borrego seconded the motion, which passed (5-0), on a roll-call vote.

- b. Other Matters**

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

### **9. Legislative Liaison**

The Board had the presentation for the upcoming Legislative Session prior to approving the second extension of the Professional Services Agreement.

- b. Briefing before 2021 New Mexico Legislative Session**

Mr. Mark Fleisher, working with Alarid Consulting, and Ms. Vanessa Alarid of Alarid Consulting provided a brief verbal presentation, some of which is as follows: Due to COVID-19 there will be a special session soon; date of the session is unknown; the Capital would be closed to the public which is causing a huge outcry due to no access to Legislators; there will be no presentations; due to the November Election there was turnover in the House and Senate; the Senate Caucus would be on Saturday; Capital Outlay would be virtual; there is a requirement for a wet signature; and an update would happen in December.

**AMAFCA Regular Meeting Minutes**

**November 19, 2020**

**Page 5**

**a. Legislative Liaison – Approval for Second Extension of Professional Services Agreement**

There was no discussion on this item.

Director Borrego made a motion that the Board approve the second extension of the professional services agreement with Alarid Consulting. Director Brown seconded the motion, which passed (5-0), on a roll-call vote.

**10. Legal**

**b. Status Report**

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

**11. Ditch and Water Safety**

Ms. Joan Griffin with Sunny 505 introduced Ms. Dezaree Vega Garcia with Sunny 505. Ms. Vega Garcia briefed the Board on the Ditch Safety Program and answered questions from the Board. She presented information on activities that included 2020 COVID Tactics; Presentation Video; Social Content; New Branded Graphics; Public Relations; and Socially Distanced Events.

**12. 2020 General Election**

**a. AMAFCA Bond Question Results**

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

**b. Resolution 2020-14 2020 AMAFCA Bond Question Canvass**

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, followed up by stating Mr. Chavez had brought to his attention that numbers could be higher in certain polling areas and that AMAFCA may need to pursue more outreach concerning storm water quality and storm water drainage in those areas. There will be a debrief in December to see what can be done. Director Eichenberg advised he would like to be involved in the discussion.

Director Borrego made a motion to approve Resolution 2020-14, 2020 AMAFCA Bond Question Canvass. Director Stover seconded the motion, which passed (5-0), on a roll call vote.

**c. Flood Control Education 2020 Bond Committee – Acknowledgement**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated Mr. Dan Aguirre served as Chair and Mr. Kim Kemper served as Treasurer for the Flood Control Education 2020 Bond Committee. With COVID-19 in place, Mr. Aguirre chaired the entire program through Zoom; the pledge amount hoped for was \$30K and \$29.5K was received; plaques have been ordered acknowledging

## **AMAFCA Regular Meeting Minutes**

**November 19, 2020**

**Page 6**

both Mr. Aguirre and Ms. Joan Griffin for their work on this year's committee; and with Ms. Griffin's help, support, and enthusiasm there was \$245M of bond authorizations received to date. Mr. Aguirre recognized the efforts of the entire committee and expressed that collections were challenging this year due to the current environment. Ms. Griffin advised she looks forward to the debrief in December in order to get out ahead of the next bond cycle in two years. The Board thanked the committee for their hard work this year.

### **13. West Branch Calabacillas Arroyo Grade Control Structures – Amendment One – Approval of Amendment to Fund the Design and Construction of a Multi-use Trail 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. Responding to a suggestion from the Board for a tour of the solar farm, Mr. Bingham stated the area is closed to outsiders (due to COVID 19); however, Mr. Bingham stated he would work on getting a tour set up in the future.

Director Borrego made a motion to approve Amendment One to the Cost Share Agreement for the Design, Construction, and Management of the West Branch Calabacillas Arroyo Grade Control Structures as related to CNM Westside Campus. Director Eichenberg seconded the motion, which passed (5-0), on a roll call vote.

### **14. Zuni Penn Property – Approval of Utility Relocation**

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

Director Brown made a motion to authorize the Executive Engineer to procure a utility relocation task with PNM. Director Stover seconded the motion, which passed (5-0), on a roll call vote.

### **15. MRGCD and AMAFCA Co-Located Infrastructure – Maintenance Overview**

Mr. Nolan Bennett, AMAFCA Field Engineer, introduced Mr. Willie West, Middle Rio Grande Conservancy District (MRGCD) Albuquerque Area Division Manager. Mr. West referenced the wood siphon in Corrales that was installed in 1930, and what was needed to be done to repair it. Mr. Bennett covered additional projects and stressed that there is constant communication between MRGCD and AMAFCA on Co-Located Infrastructure. The Board thanked Mr. West and acknowledged the great working relationship between AMAFCA and the MRGCD.

### **16. 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. There were no questions.

## **AMAFCA Regular Meeting Minutes**

**November 19, 2020**

**Page 7**

### **b. Construction Report**

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

Item 18 was moved up to this point earlier in the meeting.

### **18. Storm Water Quality**

#### **a. AMAFCA Storm Water Quality Program Overview**

Chair Thomson reiterated that both EPA and NMED had been invited to participate and / or view the presentation. Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, and Mr. Jerry Lovato, AMAFCA Executive Engineer, answered questions from the Board and covered various items pertaining to the program such as: The Annual Report submitted to the Environmental Protection Agency (EPA) has grown to over 2,600 pages to include memos, correspondence, data, the AMAFCA Project schedule, and other items under AMAFCA's programs; efforts to date have been focused on preparing audit proof annual reports; timeline through the years were covered; Program Purpose (Time to change our focus); Certification and Compliance; Reduce the Annual Report to less than 200 pages; AMAFCA staff will present various information over the next year pertaining to modifications to the program to allow all AMAFCA constituents access to data and allow data to determine future stormwater quality needs; staff and operations are practicing permit compliance beyond what is required on the annual report form; Watershed and Stormwater Science Collaboration; audience has pivoted to EPA, New Mexico Environment Department (NMED), and Tribal entities; there are 4 years of levellogger data at 15 locations; the Storm Water Quality Program is a mature program now; and what is done to date can stand on its own. There was a brief discussion pertaining to not having contacts and correspondence as part of the Annual Report; may be able to get the report down to 50 pages and include link information; AMAFCA is working to get information that may be pulled directly from the AMAFCA website; it is imperative to know what is really required in this report; and should anyone require additional information it would be made available upon request. The Board concurred with the plan to reduce the Annual Report size down to only what is required. AMAFCA staff will start the conversation with EPA and NMED and Chair Thomson would be interested to help, if needed.

Item 17 was moved back to this location earlier in the meeting.

### **17. Joint Projects**

#### **a. Joint Projects with City of Albuquerque**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. He stressed AMAFCA has had numerous discussions with CoA staff; the CoA's Capital Implementation Program (CIP) identified \$4.2M and AMAFCA asked for an additional \$5M to bring storm drainage up to \$9M which the EPC agreed to do. CoA is looking at the following projects: Barelás Pump Station for storm water quality and to help with flooding in the downtown area; Zuni Dallas Pond which is a continuation of the Zuni-Penn project and would help with the Caravan site and Dallas Storm Drain; Gibson

**AMAFCA Regular Meeting Minutes**

**November 19, 2020**

**Page 8**

San Mateo Regional Pond to take care of drainage at the Campus Wash, San Mateo and Gibson, and Kathryn. There is a meeting scheduled with CoA to discuss CoA's funding and plans.

**b. North Albuquerque Acres Drainage – Analysis of the North Domingo Baca Dam Tributaries between Browning Street and Lowell Drive – Draft Cost-Share Agreement with Bernalillo County**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. The agreement covers a request by the Board to have BernCo help pay for the Analysis. The final agreement would be brought before the Board for approval at the December Board meeting.

Item 18 b was presented at this point in the meeting.

**18. Storm Water Quality**

**b. Storm Water Quality Education Coordinator – 2020 Program Review – Presentation by Storm Team Chair**

Ms. Dana Bloomquist with CWA Strategic Communications recapped the 2020 Program which included: the 12 members; Mission and Purpose; Community Events, Surveys & Materials Distribution; Education Kiosk; Education and Advertising Partnerships; Arroyo Safety Campaign; Septic System Education; Outreach, Other Community Partnerships and Activities; and Community Donations and Sponsorships. There were no questions.

**19. Unfinished Business**

Referencing Item 8 a. from earlier in the meeting regarding the credit card statement, Mr. Chavez researched and noted the amounts were accounted for in the bottom line; however, there was a formula error in a column.

**20. New Business**

None.

**21. Adjourn**

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 12:47 p.m.

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Deborah L. Stover, Secretary-Treasurer, 12/10/2020

*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.*