



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
January 21, 2021
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1. Call to Order and Roll Call

Chair Thomson called the Board Meeting to order at 10:00 a.m., Thursday, January 21, 2021 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 Tim Eichenberg
 Director Deborah L. Stover
 Director Cynthia D. Borrego on Zoom at 10:37 a.m.

Directors excused: None

Attorney present via Zoom: Christina “Tina” Anaya, 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 Brown made a motion to approve the agenda. Director Stover seconded the motion, which passed (4-0), on a roll-call vote.

3. Meetings Scheduled

- a. February 25, 2021, 10:00 a.m. – Regular Meeting**
- b. March 25, 2021, 10:00 a.m. – Regular Meeting**
- c. April 22, 2021, 10:00 a.m. – Regular Meeting**

There were no changes to the above dates.

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4. Election of Officers

Chair Thomson opened the floor for nominations.

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

Director Eichenberg nominated the current officers for another term noting all had shown extreme experience during the COVID-19 pandemic. Director Brown seconded motion, which passed unanimously (4-0), on a roll-call vote. Chair Thomson thanked the Board for their confidence in his leadership once again.

The 2021 Board Officers are:

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

Chair Thomson advised he would suggest various committee assignments during the February Board meeting. He referenced the Personal and Salary Committee (PSC) and his thoughts that keeping the same members would allow for consistency to help work through some issues that had recently arisen which need to be worked out in the next few months. Both Chair Thomson and Director Stover sit on the PSC. There were no objections to the PSC members as suggested. A list of the current committee members would be sent to all Directors.

5. Items from the Floor / Public Comments

Public comment was received from Mr. James Hoffman. Mr. Hoffman voiced his concerns and limited his comments to two minutes. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, reiterated that the project would need to be designed before the City of Albuquerque (CoA) would make the decision on what property would be available for AMAFCA to use and this could push the project out 18+ months. More information provided under the Executive Engineer's Report later in the meeting.

6. Approval of Resolution 2021-01, Open Meetings Standards

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, summarized information provided in the memo. The Resolution was updated to include language from AMAFCA Resolution 2020-04 complying with Executive Order No. 2020-004, issued by the Governor of New Mexico on March 11, 2020. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, answered questions from the Board.

Director Brown made a motion that the Board approve and adopt Resolution 2021-01, Open

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Meetings Standards, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Eichenberg seconded the motion. The motion passed unanimously (4-0), on a roll-call vote.

7. Approval of Minutes

a. December 10, 2020

Director Stover made a motion to approve the minutes of December 10, 2020. Director Brown seconded the motion, which passed (4-0), on a roll-call vote.

8. 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 previous month and answered questions from the Board.

- **General & Administrative**

COVID-19: AMAFCA is moving towards a paperless office to reduce the amount of work in the office. New software was purchased which might lead to duplicate emails sent while getting used to the software. The additional equipment and software purchases may require a budget adjustment at the end of the fiscal year.

AMAFCA Staffing: The Field Engineer and Storm Water Quality Engineer defined a new position that will allow the field crew to collect stormwater data and to maintain stormwater equipment. The new position was advertised and should be filled before the start of the wet season and may help reduce some of the contractor costs. Office staff responsibilities during the pandemic have changed and necessitated an evaluation of AMAFCA staffing to address how work is progressing and project management during the COVID-19 pandemic. The Personnel and Salary Committee (PSC) have been briefed concerning the possible changes to AMAFCA staffing numbers and / or staff responsibilities. Proposed changes will be included in the draft 2021 Personnel Manual that is currently in staff / legal review before providing to the PSC in February.

- **Project Management**

FEMA Floodplain Removal – Letters of Map Revisions (LOMR): AMAFCA, CoA, and Bernalillo County (BernCo) staff have been in discussions concerning joint funding of LOMRs to remove FEMA floodplain in the urban area. The funding criteria is not known at this time. The funding agreement(s) may include surveying, engineering, submitting to

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FEMA, and addressing review comments to finalize the LOMR submittals. These should be completed in the next year and a half.

UNM North Golf Course Floodplain Removal: AMAFCA staff continues to contact property owners that are directly affected by the floodplain. Staff had suggested to the property owners that a use of the LOMA process may reduce the cost of flood insurance to those effected homeowners.

UNM Hydraulics Lab – NDC “Bathtub” Model: AMAFCA and UNM staff restarted work on the model after suspending due to COVID-19. The model is currently running. Staff is in the process of recording data to verify that the as-built condition allows the hydraulic jump does not impact the railroad bridge.

Joint Projects: CoA – Upper Piedras Marcadas DMP (UPMWQDMP): AMAFCA was working with CoA to get a temporary construction easement on CoA properties along Unser Boulevard and Paseo del Norte. The idea was that AMAFCA would get a temporary construction access easement from CoA to build, once built the property reverts back to CoA to retain ownership of the property as well as maintain the drainage facility after construction is complete. Mr. Lovato referenced Mr. Hoffman’s concern with access to a piece of property that AMAFCA was trying to purchase in 2018. AMAFCA still does not have access to the property; there is no reason to move forward with the design work or discussions with property owners until CoA gives AMAFCA access to the property; AMAFCA has not had those discussions with CoA and AMAFCA still does not have access to that property; AMAFCA will continue to reach out to CoA counterparts; the issue has been brought up that CoA wants to complete the design of Unser Boulevard before they talk to AMAFCA about what property would be available; if that is the case it will take another 18 months before there would be a solid discussion to get access to the property. Chair Thomson stressed AMAFCA and the Board heard Mr. Hoffman’s concerns and had been in touch with CoA. Chair Thomson advised he personally reached out to Mr. Lawrence Rael, CoA Chief Operations Officer, back in December. It took some time for Mr. Rael to respond, and while there had not been a time set to meet, Mr. Rael is aware of the issue.

CoA – Eastern Alvarado Property: CoA is considering developing a portion of the property at Katheryn and San Mateo which is encumbered by floodplain. The assignment of the project had moved from one CoA department to another. AMAFCA will continue conversations with CoA concerning granting AMAFCA a temporary construction easement on the Eastern Alvarado Property.

- **Facilities Operations & Maintenance**

Telemetry for Maintenance Security and Stormwater Quality: AMAFCA has been in discussions with BernCo concerning joint funding of telemetry for maintenance and security at selected AMAFCA facilities where BernCo had received some complaints. The joint funding agreement(s) would help pay for utility hook up with a/c power so BernCo

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could have a better view of the facility. Raven Pond could be a possible project. Staff will bring a draft funding agreement for review at a future Board meeting.

Access Control at AMAFCA Facilities: AMAFCA staff have been addressing access control at many AMAFCA facilities repairing fence and installing new fence and pipe rail.

South Diversion Channel access off Broadway – Five J's: AMAFCA has been working with CoA staff to address ongoing trespassing on CoA property that abuts AMAFCA property. Five J's Auto Salvage Yard has been trespassing on CoA and AMAFCA property for years with their storage, processing, and crushing of vehicles. AMAFCA asked CoA for the property and both CoA and AMAFCA are currently working on title work. If / or when AMAFCA gets the property, AMAFCA would fence the property and restrict access to the AMAFCA sediment facility. Albuquerque Asphalt inquired about access to the area in order to remove a large stockpile next to the freeway and the possibility of leasing part of the property to store their materials ,along with parking. Staff could bring a lease to the Board for review at the February Board meeting.

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 couple of months and answered questions from the Board. Following up on questions from the Board regarding the possibility of a bigger drone and getting the required certifications, AMAFCA would research and provide the Board with costs for equipment and certifications in a month or two.

Director Borrego signed onto the Zoom meeting at 10:37 a.m.

9. Financial Matters

a. Financial Matters – Approval of Expenditures

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 to approve the December 2020 Expenditure Report. Director Eichenberg 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. There were no questions.

10. Legal

a. Status Report

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Attorney Christina “Tina” Anaya summarized information provided in the memo. There were no questions.

11. AMAFCA FY20 CAFR – Public Presentation and Acknowledgement of Satisfactory Completion of the FY20 Audit

Audio interference was noted during the presentation.

Mr. Herman Chavez, AMAFCA Finance and Administration Manager, introduced Mr. A.J. Bowers with Carr, Riggs, and Ingram. Mr. Bowers covered items such as: Audit Timeline; Auditor’s Report; Statement of Net Position; Statement of Activities, Auditor Responsibility; Management Responsibility; Other Matters; Note Regarding New Standard Implementation; Value Added Suggestions; and Concluding Comments. The Board noted that AMAFCA had a pleasant working relationship with Mr. Bowers and the audit firm of Carr, Riggs, and Ingram.

12. Legislative Liaison – Briefing before 2021 New Mexico Legislative Session

Mr. Mark Fleisher working in conjunction with Alarid Consulting answered questions from the Board and covered items such as: no opening speech was made by the Governor; Cabinet was closed on the previous day due to fear of threats (stemming from January 6, 2021 insurrection at the United States Capital in Washington, DC); House and Senate meeting dates; House has been limited to five sponsored bills; only Legislators and staff are allowed in session; known funding priorities; various changes in House and Senate members / roles; meeting would be virtual; any Capital Outlay requests need to be provided to Ms. Alarid; and the website location for viewing Legislation / Bills.

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.

14. Real Estate

a. Lot 11 of Block F, Tract 3, Unit 1 of North Albuquerque Acres – Acceptance of Drainage Easement

Ms. Nicole M. Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo and answered a question from the Board.

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Director Brown made a motion that the Board authorize the Chair to accept the Grant of Easement for Lot 11 of Block 4, Tract 3, Unit 1 of North Albuquerque Acres. Director Stover seconded the motion, which passed (5-0), on a roll-call vote.

b. Zuni Penn Property – Approval of Utility Relocation

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

Director Brown made a motion that the Board 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. AMAFCA Stormwater Quality Program

a. Post-Construction Stormwater Management Program

Audio interference was noted during presentation.

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. The presentation covered items such as: the need for Stormwater Quality Volume (SQV) Design Standard for the Middle Rio Grande; Regional Options for SQV referenced in Permit; Why We are Looking at This?; What is the MS4 Permit's Intent?; Process to Calculate SQV; General Agreement with Rainfall Depth Volume; Lack Consensus on Using Rainfall Depth or Reduced Runoff Depth; Reference Comparison Using Whole Site; Disturbed Areas or Impervious Area Only; and What's Next to Help With Intent of this Task? Discussion took place regarding items such as: this impacts how Stormwater quality is developed in the urban area; input was needed to decide if AMAFCA is to move forward and take the lead or should the Storm Team collectively pick a SQV number; a consistent approach for this is needed for a regional remedy; everyone should agree on final numbers; and that while this does not affect AMAFCA directly, it does indirectly, due to discharge in system from other MS4s.

16. Unfinished Business

None.

17. New Business

None.

18. Adjourn

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There being no further business to come before the Board, Chair Thomson adjourned the meeting at 12:08 p.m.

Deborah L. Stover, Secretary-Treasurer, 2/25/2021

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.