



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**February 25, 2021**  
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**1. Call to Order and Roll Call**

Chair Thomson called the Board Meeting to order at 10:02 a.m., Thursday, February 25, 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.

Audio interference was noted which cleared up.

Directors present via Zoom	Chair Bruce M. Thomson Director Cynthia D. Borrego - left Zoom at 11:22 a.m. Director Ronald D. Brown - left Zoom at 11:48 a.m. Director Tim Eichenberg Director Deborah L. Stover
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Directors excused:	None
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Attorney present via Zoom:	William Zarr, Robles, Rael & Anaya
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Others present via Zoom and / or in person:	Jerry M. Lovato, P.E., Executive Engineer Staff Other attendees on file at AMAFCA
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A quorum was present.

**2. Approval of Agenda**

Chair Thomson asked that **Agenda Item 18 a Executive Session (closed)** be moved up to 10:45 a.m. for all Directors to be present. Director Borrego made a motion to approve the agenda, as amended. Director Stover seconded the motion, which passed (4-0), on a roll-call vote. Director Eichenberg could not voice his vote.

**3. Meetings Scheduled**

- a. March 25, 2021, 10:00 a.m. – Regular Meeting**
- b. April 22, 2021, 10:00 a.m. – Regular Meeting**
- c. May 27, 2021, 10:00 a.m. – Regular Meeting**

There were no changes to the above dates.

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**4. Appointment to Boards and Committees**

Chair Thomson made appointments to the following MRCOG Boards (same as last year):

MRCOG Executive Board (AMAFCA FY 22):	Director Ronald D. Brown Chair Bruce M. Thomson – alternate
MRCOG Board of Directors:	Chair Bruce M. Thomson Director Ronald D. Brown – alternate
Middle Rio Grande Water Resources Board:	Director Cynthia D. Borrego Chair Bruce M. Thomson – alternate
Metropolitan Transportation Board:	Director Ronald D. Brown Director Deborah L. Stover - alternate

Chair Thomson made appointments to the following AMAFCA Committees (same as last year):

Personnel and Salary Committee:	Director Deborah L. Stover Chair Bruce M. Thomson
Strategic Planning Committee:	Director Cynthia D. Borrego Director Tim Eichenberg
Financial Committee:	Director Deborah L. Stover Director Ronald D. Brown

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

No items from the floor or public comments were received.

**6. Approval of Minutes**

**a. January 21, 2021**

Director Eichenberg made a motion to approve the minutes of January 21, 2021. Director Brown seconded the motion, which passed (5-0), on a roll-call vote.

**7. Consent Agenda**

Chair Thomson referred to **Agenda Items 7 a through 7 b** on the Consent Agenda. Director Brown made a motion that the Board accept the items on the Consent Agenda.

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The motion approved the following:

- Floodplain Restudy for Black Mesa 3 Dam Outlet Project – Advertise Request for Proposals; and
- Acceptance of Easement of Access and Maintenance Easement for Lot 3-C A Replat Lot 3 Interstate Industrial Tract Unit II.

Director Stover seconded the motion, which passed (5-0), 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:* To address the possibility of vaccinations for AMAFCA staff in the next two months and to encourage staff members to get vaccinated, AMAFCA would allow a maximum of two hours of administrative leave, if the COVID vaccination is scheduled during normally scheduled work hours. AMAFCA continues its transition to a paperless office. The required software has been purchased and is currently being introduced in both the office and the field. It is hoped by the monsoon season all required training would be complete.

*AMAFCA Staffing:* The new Oiler / Stormwater Technician position had been filled by Mr. Esquipula Padilla. Mr. Padilla has started to incorporate the fleet maintenance into iWorQ and the Verizon GPS system. In addition, Mr. Padilla will start training soon to collect stormwater data and maintain stormwater equipment. A new Maintenance Worker position is currently being advertised and should be filled before the start of the wet season.

- **Project Management**

*UNM North Golf Course Floodplain Removal:* AMAFCA staff continues to pursue the LOMA process with affected homeowners. This area will be a subject of discussion with the City of Albuquerque (CoA) as part of the FEMA Elimination Program if the program moves forward. A discussion on the reasons for AMAFCA pursuing this project ensued which included numerous questions and answers. Some of the discussion included the Golf Course is in the CoA drainage system; in an area of town that CoA had not been careful approving development back 60-70 years ago; the floodplain only impacts approximately four homes; the LOMA process would just reduce the cost of insurance; an additional \$100K would remove floodplain and another \$50K would be required for a study; 4-5 years ago CoA allowed development to happen that cut off water; AMAFCA went in and fixed the walking trail and got the water out; afterwards modifications by Bernalillo County (BernCo) were made on the golf course that made matters worse;

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approximately 8 years ago AMAFCA had been approached by a former BernCo County Commissioner to get something done for the constituents; after the BernCo County Commissioner's request for assistance, AMAFCA spent approximately \$80K on an analysis; when the joint cost share for the project was drafted approximately 3 years ago CoA had no money, BernCo did not want to do the trail and UNM did not want to do it either; the project is not an AMAFCA facility, the Board concurred this project needs to be set aside; and see if CoA steps in to fix what is their responsibility.

*AMAFCA Engineering:* AMAFCA staff are evaluating the use of Independent Technical Oversight Services (ITOS) to augment staff on protracted projects. The main task of the ITOS would be quality assurance of the engineering and technical work produced by our consultants and allow AMAFCA staff to concentrate on other projects. ITOS would be tasked through AMAFCA's On-Call Engineering Services.

*Joint Projects:* Discussions with CoA, AMAFCA, Chair Thomson, and Director Brown, were held concerning CoA properties along Unser Boulevard and Paseo del Norte, Five J's, and Eastern and Alvarado. CoA properties along Unser Boulevard and Paseo del Norte were the subject of a letter sent to Mr. Lawrence Rael with CoA. Discussions are ongoing and the Eastern and Alvarado project had sparked an immediate interest from CoA.

- **Facilities Operations & Maintenance**

*Telemetry for Maintenance Security and Stormwater Quality:* AMAFCA had been in discussions with BernCo concerning joint funding of telemetry for maintenance and security to augment security issues near Raven Pond as well as other AMAFCA facilities. This might be impacted by the Isleta Drain Master Plan and how the bike trail moves forward.

*AMAFCA Operations:* AMAFCA staff have been evaluating the use of subcontractors and temporary employees to augment the field crew. As AMAFCA enters the monsoon season, the safety of the crew is paramount, especially during a pandemic. AMAFCA crew adapted well and productivity has almost recovered to pre-pandemic levels.

*AMAFCA Drone:* Mr. Lovato referred the Board to the memo in their package. He stressed that while the drone can do certain things there is a problem with not being able to fly high enough to capture everything that is needed.

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

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, referred to the memo for task orders issued so far this month and answered questions from the Board.

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**9. Financial Matters**

**a. Financial Matters – Approval of Expenditures**

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

Director Stover made a motion to approve the January 2021 Expenditure Report. Director Borrego seconded the motion, which passed (4-0), on a roll-call vote. Director Brown was away during the 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**

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

**11. Legislative Liaison**

**a. Briefing on the 2021 New Mexico Legislative Session**

Mr. Mark Fleisher, working in conjunction with Alarid Consulting, presented items such as the Capital is still closed to the public; how the Senate and House are doing their sessions; lots of internet connection issues; 906 Bills had been introduced versus 1,663 during the last 60-day Session; 2 of the Bills are on the Governor's desk; oil is \$62.00 a barrel versus \$50.00 budgeted; and closed by covering numerous Bills deemed important. There were no questions.

Item 18 had been moved up earlier in the meeting.

**18. Executive Session (closed)**

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

Chair Thomson advised **Agenda Item 18 a** was a Closed Session agenda item. This was hosted in a Zoom Breakout session. Director Borrego 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 Meetings Act, A Compliance Guide for New Mexico Public Officials and Citizens,”* eighth edition, 2015, to discuss Threatened or Pending Litigation. Director Brown seconded the motion, which passed unanimously (5-0), on a roll call vote. Misters Lovato and Chavez along with Legal Counsel remained.

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Chair Thomson closed the meeting at 10:47 a.m. Chair Thomson asked for a motion to re-open the meeting at 11:23 a.m. Director Stover made a motion that the meeting be re-opened. Director Eichenberg seconded the motion, which passed unanimously (4-0), on a roll call vote. Director Borrego left the meeting prior to the vote. Chair Thomson stated that no action was taken during the Closed Session and only items that pertained to Threatened or Pending Litigation were discussed.

Director Borrego had signed out of the Zoom meeting at 11:22 a.m.

**12. Joint Projects – Bernalillo County**

**a. Three-Party Agreement to Provide Funding, Design, Construction, and Project Management and Transfer of Property for Black Mesa Phase V – Approval of Modification to Agreement**

Ms. Nicole M. Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo. Responding to a question from the Board on if a motion was needed to approve, Ms. Friedt stated the original agreement had been signed by the Board and advised it would be at the Board's discretion on what was needed due to the minor change.

Director Stover made a motion that the Board approve the modification to the Three-Party Agreement to Provide Funding, Design, Construction, and Project Management and Transfer of Property for Black Mesa Phase V. Director Brown seconded the motion adding the modification was minor, which passed (4-0), on a roll-call vote.

**b. Cost Share Agreement for Survey and Hydraulic Analysis of North Domingo Baca Dam Tributary Arroyos in North Albuquerque Acres – Approval of Modification to Agreement**

Ms. Nicole M. Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo. There were no questions. The Board noted the agreement had a minor modification akin to what had been recapped in the previous agenda item. There were no questions.

Director Brown made a motion that the Board approve the modification to the Cost-Share Agreement for the Survey and Hydraulic Analysis of North Domingo Baca Dam Tributary Arroyos in North Albuquerque Acres. Director Stover seconded the motion, which passed (4-0), on a roll-call vote.

**c. North Albuquerque Acres Drainage – Analysis of the North Domingo Baca Dam Tributaries between Browning Street and Lowell Drive – Project Update**

Ms. Nicole M. Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo and answered a question from the Board. Her presentation covered examples of properties with known issues; properties that had plans signed off by AMAFCA; original plans approved by AMAFCA versus actual changes that did not match the improvements made to the properties; and properties where no one had approached AMAFCA for plan approval but had gone ahead and made changes to the properties. It was noted by the Board that residents

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have no idea what damage could happen due to all the hazard delineations in the area. Directors on the Board offered assistance in meeting with BernCo; if it is deemed necessary.

**d. Isleta Drain Master Plan Cost Share Agreement – Approval of Modification to Agreement**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo noting that Middle Rio Grande Conservancy District (MRGCD) had been added to the agreement. There were no questions.

Director Stover made a motion that the Board approve the modification done on the Cost-Share Agreement for the Isleta Drain Master Plan. Director Brown seconded the motion, which passed (4-0), on a roll-call vote.

**e. Cost Share Agreement for the Design and Construction of 4th Street and Paseo Del Norte Area Drainage Project – Agreement Introduction**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered a question from the Board. The Board noted AMAFCA had attempted to get this project completed for some time now, Mayor Lopez had been trying to get it done, and it is good to see it has now worked out with the Village of Los Ranchos (VoLR). VoLR's Mayor Donald T. Lopez was present on the Zoom meeting. Mayor Lopez thanked the Board and stated he is committed to making the project a full success.

Director Brown signed out of the Zoom meeting at 11:48 a.m.

### **13. Joint Projects – City of Albuquerque**

**a. Alameda Drain Multi-Use Corridor Master Plan – Project Update**

Mr. Bradley L. Bingham, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Mr. Bingham stated that CoA is in design and a cost share agreement would be brought to the Board at a future date.

**b. Agency and Area-Wide FEMA Floodplain Elimination Contract – Project Introduction**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered AMAFCA would be both the fiscal agent and contracting agency under the proposed program; other agencies would identify priorities and / or tasks to address known floodplain deficiencies within their own system; AMAFCA, working with each agency, would assign work orders to the contractor(s); each respective agency would accept the work prior to formal submittal to FEMA; and a draft agreement would be presented to the Board at a future meeting. The Board agreed that this was a great idea.

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### **c. Dallas Storm Drain – System Enhancements Update**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered a question from the Board. Part of the presentation covered how AMAFCA identified the property that would best accommodate the regional storage facility along Zuni Boulevard and initiated the procurement of the property in 2020; design of the regional facility is nearly complete; construction could start as early as late 2021; the agreement for Funding the Feasibility, Design, and Construction of the Dallas Storm Drain Regional Drainage Facility – Zuni Site, was drafted and presented to both the AMAFCA Board and CoA in 2019; the agreement had not been signed by CoA; the agreement defines funding and maintenance for the new facility; the agreement had recently been sent back to the CoA for review and signature; and will be brought to the Board for their signature at a future Board meeting.

## **14. AMAFCA Field Highlights**

### **a. Field Report**

Audio interference was noted which cleared up.

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

### **b. Construction Report**

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

### **c. North Diversion Channel Outfall “Bathtub” Structure Project – Project Update**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included items such as a picture of the completed project area for 2015 Bathtub reconstruction that intended to follow the work done on the 2014 modeling effort; based on the 2014 model, versus how the project was designed and constructed, the concrete maintenance roads were approximately one foot too high; the transmission point to the end of the Bathtub is approximately ten inches too high; part of the determination on whether that was going to impact the railroad bridge and the hydraulic of the Bathtub meant AMAFCA worked with Weston utilizing the UNM contract to the hydraulic lab for two models; one model did not show any concerns for water under the bridge; the latest model runs of the as-built conditions have shown concerning water levels at the railroad bridge; survey work was done; several subsequent model runs at the eastern end of the bridge have confirmed, that in the real-world, water would hit the railroad bridge; Weston and BHI would be discussing and would come back to AMAFCA and UNM on how they wish to approach the project. There was a brief discussion regarding the 2014, 2015, and 2020 model runs; there is still indications that the as-built has some problems; the model is 1:84 to scale; the Board was encouraged to view the model once UNM opens back up; UNM currently is allowing only five people in the lab at a time;



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and Mr. Craig Hoover with BHI stated that he appreciated the modeling that had gone on and voiced his concerns.

### **15. AMAFCA Operations – Introduction of iWorQ – Work Management Software**

Mr. Nolan Bennett, AMAFCA Field Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included items such as the current electronic file system; viewed a demo of iWorQ; how the program would help with tracking facility and vehicle information; FEMA rates are utilized for vehicle usage in the event AMAFCA assists other agencies or requires FEMA reimbursements; workorder tracking; submission of workorders can be done on site; maintenance schedule; inspection report by the Office of the State Engineer; inspection report by AMAFCA; and the system is maintained by iWorQ on an offsite server.

### **16. Real Estate**

#### **a. Los Diamantes Offsite Regional Pond – Turnkey Project Introduction**

Ms. Nicole M. Friedt, AMAFCA Development Review Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included items such the area is a private development in Sandoval County; the developer seeks to alter the drainage pattern of flows by constructing an offsite regional drainage facility that will discharge directly to the main branch of the Calabacillas Arroyo at a reduced flow rate; AMAFCA would maintain the infrastructure and require a turnkey agreement; and AMAFCA would require a grant of permanent drainage and access easement(s) on those properties that are considered private before the turnkey agreement can be executed.

#### **b. Tijeras Arroyo Inlet – Lease Agreement with Albuquerque Asphalt**

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo noting requirements to lease the property. Mr. Nolan Bennett, AMAFCA Field Engineer, stated that services (millings) in lieu of payment can be beneficial to AMAFCA. There were no questions.

### **17. AMAFCA Stormwater Quality Program**

#### **a. Stormwater Quality Volume – General Discussion**

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included items such as covering Volume = length x width x height; Water Quality Volume (WQV) = R x L; R= rainfall depth height for 90th/80th percentile storms; L = length x width; some WQV calculations use runoff depth instead of rainfall depth; area in calculation can be impervious area, disturbed area, or entire site area; Rain Fall or Runoff Depth; values calculated with hydrologic analysis; permit allows for both values; the next permit should clear up some things; SSCAFCA and BernCo use rainfall; and CoA, the biggest player, uses runoff.

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**b. Stormwater Quality Volume – AMAFCA Post-Construction Stormwater Management Program Discussion**

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered topics on Equality, Equity, and Justice; AMAFCA and the Water Quality Volume; and Standardized Water Quality Volume Calculation. The Board appreciated clarity on the topic and appreciated AMAFCA taking a leadership role on this issue. There were no questions.

**19. Unfinished Business**

None.

**20. New Business**

None.

**21. Adjourn**

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 1:25 p.m.

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Deborah L. Stover, Secretary-Treasurer, 3/25/2021

*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.*