



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
June 23, 2022
Page 1

1. Call to Order and Roll Call

Chair Brown called the Board Meeting to order at 9:01 a.m., Thursday, June 23, 2022, at the AMAFCA office in Albuquerque, NM. The meeting was accessible via Zoom 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 Ronald D. Brown – at the AMAFCA building
Director Elizabeth Newlin Taylor – at the AMAFCA building
Director Bruce M. Thomson – at the AMAFCA building
Director Tim Eichenberg – arrived to the AMAFCA building – 9:03 a.m.
Director Orlando G. Martinez, Jr. – Logged into Zoom – 9:09 a.m. – left Zoom prior to 12:47 p.m.

Directors excused: None

Attorney present via Zoom and / or in person: William Zarr, Robles, Rael & Anaya – at the AMAFCA building

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

A quorum was present.

2. Approval of Agenda

Director Taylor advised editorial changes were needed for **Item 6.c. Lot 23, Block 3, Tract 3, Unit 2, of the North Albuquerque Acres – Acceptance of Drainage Easement**. Mr. Jerry M. Lovato, AMAFCA Executive Engineer, advised the item would be taken off of consent so AMAFCA staff could make the changes.

Director Taylor made a motion to approve the Agenda, as amended. Director Thomson seconded the motion, which passed (4-0).

3. Meetings Scheduled

a. July 28, 2022, 9:00 a.m. – Regular Meeting

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 2

- b. August 25, 2022, 9:00 a.m. – Regular Meeting
- c. September 22, 2022, 9:00 a.m. – Regular Meeting

There were no changes to the dates.

4. Items from the Floor Public Comments

The Board recognized that Ms. Therese Saunders with the Taylor Ranch Neighborhood Association was at the AMAFCA building for the Board meeting.

5. Approval of Minutes

- a. May 26, 2022

Director Eichenberg made a motion to approve the Minutes of May 26, 2022. Director Taylor seconded the motion, which passed (4-0).

6. Consent Agenda

Chair Brown referred to Agenda **Items 6.a. – 6.b. and 6.d. - 6.e.** on the Consent Agenda. **Item 6.c. Lot 23, Block 3, Tract 3, Unit 2, of the North Albuquerque Acres – Acceptance of Drainage Easement** was removed from the Consent Agenda earlier in the meeting. Director Eichenberg made a motion that the Board accept the remaining items on the Consent Agenda.

The motion approved the following:

- Out of State Travel to attend the State Dam Safety Officials Dam Safety 2002 Conference September 18-22, 2022, in Baltimore, Maryland; and
- Lot 23, Block 3, Tract 3, Unit 2 of North Albuquerque Acres - Acceptance of Quitclaim of Easement; and
- Design, Bidability, and Constructability Reviews – Agreements with CF Padilla, LLC and Salls Brothers Construction, Inc.; and
- 20' Trailer - Authorization to Purchase.

Director Taylor seconded the motion, which passed (5-0), on a roll call vote. Director Martinez had signed onto Zoom during the referenced item.

Item 6.c. Lot 23, Block 3, Tract 3, Unit 2, of the North Albuquerque Acres – Acceptance of Drainage Easement had been moved to the Regular Agenda earlier in the meeting. Director Taylor advised there were some editorial changes that needed to be made.

Director Taylor made a motion to authorize the Chair to accept the Grant of Easement for Lot 23, Block 3, Tract 3, Unit 2, of the North Albuquerque Acres, as amended. Director Thomson seconded the motion, which passed (5-0), on a roll call vote.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 3

7. Executive Engineer's Report

a. Notification of Past Month's Activities

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, provided a verbal recap highlighting significant activities from the previous / current month and answered questions from the Board.

- **General & Administrative**

AMAFCA Staffing: AMAFCA has interviewed candidates to replace Mr. Herman Chavez, AMAFCA Finance & Administration Manager. There are a couple of good candidates and it is hoped the position will be filled soon.

Congressional Delegation and NM / Federal Lobbyists: The Congressional Delegation, along with the AMAFCA Lobbyists have been working very hard. AMAFCA will be partnering with the City of Albuquerque (CoA) on a \$750K project for a report under the Military Installation Resilient Review Program (MIRRP). CoA is taking the lead and will be paying the majority of the funding for the report and will tie into a grant program for infrastructure in the State of New Mexico. It is estimated the report for the project will take 18 months and is needed for the final document that will list the project(s) before funding could be acquired. AMAFCA is providing technical assistance and could put in \$30K of the \$750K. The Congressional Delegation (Senator Lujan) has put a project for AMAFCA into the Federal Budget for the Gibson Boulevard Regional Drainage Project for approximately \$3.9M with AMAFCA contributing \$1.5M, to include CoA needs to increase storm drain. A Letter of Support is needed from New Mexico Homeland Security. Both Ms. Vanessa Alarid and Mr. Mark Fleisher with Alarid Consulting have been working very hard on getting the Congressional Delegation and New Mexico Homeland Security on board with the project. CoA will be using in-kind contributions along with grant funding through a different military program. AMAFCA is not a municipality so will not qualify for that funding source.

- **Facilities Operations & Maintenance**

North Pino Arroyo: The survey is complete and AMAFCA has an on-call engineer working on the design. More information will be provided in the future.

Responding to a question from the Board, Mr. Lovato covered the recent issues with the Zuni Penn project and advised more information would be brought to the Board next month.

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 was a brief discussion regarding AMAFCA staff to consider doing some tasks on a competitive process. Mr. Lovato advised AMAFCA's On-Call Services are done through the competitive process when Requests for Proposals are issued.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 4

8. 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. He noted AMAFCA had roof maintenance done and any further work on the roof would be under warranty.

Director Thomson made a motion to approve the May 2022 Expenditure Report. Director Taylor 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.

c. Acceptance of Inventories

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo and answered questions from the Board.

Director Eichenberg made a motion that the Board accept the Inventories as presented. Director Taylor seconded the motion, which passed (5-0), on a roll-call vote.

d. Approval of “Exhibit A,” Resolution 2006-08, Reimbursement for AMAFCA Goods and Services

Mr. Willie West, AMAFCA Real Estate Manager, summarized information provided in the memo. There were no questions.

Director Eichenberg made a motion that the Board approve "Exhibit A" of Resolution 2006-8, Reimbursement for AMAFCA Goods and Services. Director Taylor seconded the motion, which passed (5-0), on a roll-call vote.

9. Personnel and Salary Committee

a. Personnel and Salary Committee – Base Rate Recommendation

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding the current base rates (rates); most of the rates are decades old; the old rates are used for merit increases; and with the reorganization of AMAFCA there will be a reevaluation of job descriptions.

Director Thomson made a motion to approve the Personnel and Salary Committee's recommendation to increase the AMAFCA Base rates. Director Martinez seconded the motion, which passed (5-0), on a roll-call vote.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 5

b. Resolution 2022-08 – Adoption of Salary and Base Rate Recommendation

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding the recently completed 2022 Benchmark Analysis Report compiled by Southwest HR Consultants; the modified Compensation Policy would increase salary base rates to current market values; and Merit increases are included in the Fiscal Year 2023 budget.

Director Thomson made a motion that the Board approve and adopt Resolution 2022-08 – AMAFCA Compensation Policy and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion, which passed (5-0), on a roll call vote.

c. Personnel and Salary Committee – Proposed AMAFCA Organizational Chart

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding AMAFCA's flat organizational structure since inception in 1963; the Executive Engineer answers to the AMAFCA Board of Directors; is the only person in top management directing staff; Board approval is needed to bring four executive committee positions to the Board at the next Board meeting; positions would be developed, then changes can be made; with the current organization structure there is a lack of work-life balance; the current structure is not scalable; the Board voiced concern about the additional positions making AMAFCA top heavy; the four new positions that would be part of an Executive Committee would be working positions; there would be a new GIS Manager hired to replace Mr. Troutman; and the Director of Field Operations position would eliminate the Field Engineer position. The Board agreed that staff should move forward.

10. Legal

a. Status Report

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

11. Joint Projects

a. Valle de Oro Barr Spur Improvements & Water Quality Project – Approval of Cooperation and Funding Agreement with the Albuquerque Bernalillo County Water Utility Authority

Ms. Nicole M. Friedt, AMAFCA Engineer II, summarized information provided in the memo, and answered questions from the Board. Director Taylor inquired about amounts listed and Mr. Jared Romero, AMAFCA Development Engineer, clarified item 9.d. in the agreement should read \$1,375,000.00 and the cost would be for the materials and relocation of the waterline. The Board asked that thanks be expressed to the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) for working with AMAFCA on this important project and that the commitment of ABCWUA was recognized.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 6

Director Thomson made a motion to approve the Cooperation and Funding Agreement with the Albuquerque Bernalillo County Water Utility Authority for the Water Utility Authority's line relocation as part of the Valle de Oro Barr Spur Improvements & Water Quality Project, as amended. Director Eichenberg seconded the motion, which passed (5-0), on a roll call vote.

b. Valle de Oro Barr Spur Improvements & Water Quality Project – Procurement Authorization for Utility Relocation

Ms. Nicole M. Friedt, AMAFCA Engineer II, summarized information provided in the memo. There were no questions. The Board noted that getting bids for the material would help with the contractor's bid process and eliminate the uncertainty factor, which will allow for more accurate bids.

Director Taylor made a motion to authorize the advertisement of bids for the procurement of materials for the Water Utility Authority transmission line relocation as part of the Valle de Oro Barr Spur Improvements & Water Quality Project and authorize the Executive Engineer to accept the low bid for the material procurement upon bid opening. Director Thomson seconded the motion, which passed (5-0), on a roll call vote.

12. Ditch and Water Safety Task Force

a. Memorandum of Agreement with City of Albuquerque and the Albuquerque Police Department for Enforcement on AMAFCA Facilities

Mr. Willie West, AMAFCA Real Estate Manager, summarized information provided in the memo. There were no questions. The Board concurred that the topic could be part of a Special Meeting; if needed.

13. Climatology Update – 2022 Monsoon Forecast

Mr. Kevin Troutman, AMAFCA GIS Manager, summarized information provided in the memo and answered questions from the Board. The presentation covered topics such as Precipitation Accumulation; Map of Quarterly Breakdowns; February Freeze; 78 Days Without Precipitation; Snow Totals of Rio Grande Headwaters; US Drought Monitor; Albuquerque 30-year Normal; Annual Mean Temperature Change; North American Monsoon; Moisture Transport; Lifecycle of a Thunderstorm; Outflow Boundaries; AMAFCA Forecasting; Forecast Models; Soundings; the 6/23/2022 High Resolution Rapid Refresh Model Run; Climate Prediction Center Monsoon Precipitation Forecast; and concluded with a fun Pacific Water vapor image from March 2022.

14. AMAFCA Field Highlights

a. Field Report

Mr. Nolan Bennett, AMAFCA Field Engineer, provided a report on various projects / events and answered questions from the Board.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 7

b. Construction Report

Mr. Nolan Bennett, AMAFCA Field Engineer, referred the Board to the Construction Report. Ms. Friedt answered a question from the Board regarding Salida Sandia Road in the Valle de Oro project.

15. Recognition of Public Service

a. AMAFCA Finance and Administration Manager – Herman Chavez

Mr. Lovato introduced AMAFCA Finance and Administration Manager, Mr. Herman Chavez. He covered a number of items that Mr. Chavez helped implement and expressed his sadness for his departure. Chair Brown presented Mr. Chavez with a plaque of appreciation from the Board. Mr. Chavez voiced his sentiments regarding various staff member. The Board congratulated Mr. Chavez on his new position and wished him the best of luck.

16. Executive Session (closed)

a. Discussion of Acquisition of Real Property (§ 10-15-1(H)(8))

b. Discussion of Acquisition of Real Property (§ 10-15-1(H)(8))

The microphone was not working while coming out of the closed session. The motion to reopen the meeting was redone for benefit of the audience and compliance with the Open Meetings Act.

Chair Brown advised Agenda **Items 16.a. and 16.b. were Closed Session** agenda items. The meeting was at the AMAFCA building with all Directors in attendance at the beginning of the item in person and / or via Zoom. Director Thomson 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 Acquisition of Real Property. Director Eichenberg seconded the motion, which passed unanimously (5-0), on a roll call vote. Messrs. Lovato and West, along with Legal Counsel, remained.

Chair Brown closed the meeting at 11:46 a.m. Chair Brown asked for a motion to re-open the meeting at 12:47 p.m. Director Taylor made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed unanimously (4-0), on a roll call vote. Director Martinez signed off the meeting prior to the session reopening.

Chair Brown stated that no action was taken during the Closed Session, no decisions were made, and the items discussed pertained to Acquisition of Real Property and abandoned Rights-of Way. He further stated there was a lack of clarification on Agenda **Item 17. Southeast Valley Drainage and Water Quality Management Plan – Authorization to Acquire Real Property**, and it could not be discussed or acted upon at this time. It was agreed that the Real Estate Committee would still be involved to provide input to staff and recommend actions to the Board.

AMAFCA Regular Meeting Minutes

June 23, 2022

Page 8

17. Southeast Valley Drainage and Water Quality Management Plan – Authorization to Acquire Real Property

No discussion or action was taken on this item.

18. Old Business

Mr. Herman Chavez took this time to recap his sentiments and working relationship with Mr. Lovato. He stated Mr. Lovato encouraged him to apply for the Assistant City Manager position for the City of Richardson in Richardson, Texas (position of Comptroller opened up and that position was offered and accepted).

19. New Business

None.

20. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 12:54 p.m.

Elizabeth Newlin Taylor, Secretary-Treasurer, 7/28/2022

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.