



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
June 29, 2023
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1. Call to Order and Roll Call

Chair Thomson apologized for the delay and called the Board Meeting to order at 9:17 a.m., Thursday, June 29, 2023, at the Valle de Oro (VdO) Visitors Center in Albuquerque, NM.

Directors present via Zoom and / or in person: Chair Bruce M. Thomson – at VdO
Director Tim Eichenberg – at VdO
Director Orlando G. Martinez, Jr. – at VdO
Director Elizabeth Newlin Taylor – at VdO
Director Ronald D. Brown – at VdO

Directors excused: None

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

Others present via Zoom and / or in person: Jerry M. Lovato, P.E., Executive Engineer – at VdO
Mayor Tim Keller, City of Albuquerque – at VdO
Staff
Other attendees who signed in are on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Director Brown made a motion to approve the June 26, 2023, Revised Agenda. Director Martinez seconded the motion. The motion passed unanimously (5-0).

3. Meetings Scheduled

- a. July 27, 2023, 9:00 a.m. – Regular Meeting**
- b. August 24, 2023, 9:00 a.m. – Regular Meeting**
- c. September 28, 2023, 9:00 a.m. – Regular Meeting**

There were no changes to the above dates.

4. Items from the Floor / Public Comments

Chair Thomson introduced Honorable Tim Keller, Mayor of the City of Albuquerque (CoA). Mayor Keller thanked the Board and advised his main purpose for the visit was to thank Mr. Jerry M. Lovato, AMAFCA's Executive Engineer. Among the sentiments voiced for Mr. Lovato

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directly, he assured the Board that with the increase of funding (in the CoA's 2023-2032 Decade Plan for Capital Improvements) that the City Council had authorized, the City of Albuquerque wants to continue the partnership with AMAFCA. He opined AMAFCA is one of Albuquerque's unsung heroes that is not always on the front page of the paper and highlighted the legacy of the CoA / AMAFCA work in the Santa Barbara / Martineztown neighborhoods (CoA facilities). Chair Thomson thanked Mayor Keller, noting that both he and Director Brown met with the Mayor and Lawrence Rael, CoA Chief Admin Officer, regarding negotiations with CoA on joint projects. The Directors also continued the conversation at another meeting with Mr. Rael and Mr. Patrick Montoya, CoA Director of Municipal Development, regarding those CoA joint projects. He stressed the quality of the discussions and collaboration with CoA was very much appreciated.

5. Approval of Minutes

a. May 25, 2023

Director Taylor made a motion to approve the Minutes of May 25, 2023. Director Brown seconded the motion. The motion passed unanimously (5-0).

Chair Thomson expressed his thanks to Ms. Jennifer Owen-White, US Fish and Wildlife Valle de Oro Refuge Manager, and the staff of the Valle de Oro Wildlife Refuge, for allowing AMAFCA to utilize the room at the Valle de Oro Wildlife Refuge for the AMAFCA Board meeting

6. Consent Agenda

Director Eichenberg asked that Item **6.a. La Cueva Arroyo Survey and Hydraulic Analysis Project – Approval of Amendment Four to the Professional Services Contact** and Item **6.c. Approval of Out-of-State Travel, Colorado Association of Stormwater and Floodplain Managers, September 17-20, 2023, Keystone, CO** be moved to the Regular Agenda.

Chair Thomson referred to Agenda Items **6.b., 6.d., and 6.e.** on the Consent Agenda. Chair Thomson recapped the remaining Consent Items (which were shared on the SmartBoard for all participants to view). Director Eichenberg made a motion that the Board accept the remaining items on the Consent Agenda. The motion approved the following:

- City of Albuquerque Balloon Fiesta License Agreement - 30-day Extension; and
- Authorization to Advertise for Executive Engineer position;
- AMAFCA Fleet - Authorization to Purchase a Tandem Dump Truck, a 3/4 to 1 Ton Truck, and a Compact Wheel Loader "Skid Steer".

Director Brown seconded the motion. The motion passed unanimously (5-0).

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6.a. La Cueva Arroyo Survey and Hydraulic Analysis Project – Approval of Amendment Four to the Professional Services Contact

Responding to a question from the Board on whether the \$124,000.00 amount exceeds the procurement code, Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated that the contract had been procured through a Request for Proposal process and did not exceed amounts identified in the procurement code.

Director Eichenberg made a motion to authorize the Executive Engineer to approve Amendment Four to the Professional Engineering Services Agreement for the La Cueva Survey & Hydraulic Analysis Project. Director Brown seconded the motion, which passed (5-0).

6.c. Approval of Out-of-State Travel, Colorado Association of Stormwater and Floodplain Managers, September 17-20, 2023, Keystone, CO

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo. Responding to questions from the Board regarding which AMAFCA staff members would attend and if AMAFCA staff is assisting in the presentation would it violate the anti-donation clause, Mr. Jerry M. Lovato, AMAFCA Executive Engineer, stated it would not violate the anti-donation clause because Messrs. Kevin Troutman and Jared Romero would make their own presentations instead. AMAFCA is the project owner, and the project would be presented by them on a national scale. Responding to a question on registration cost, Mr. Jared Romero advised early bird registration is \$550.00, per person. The Board asked for a presentation in July or August. Mr. Craig Hoover, Senior Vice President with Bohannon Huston, Inc., agreed that a presentation to the Board would be done.

Director Brown made a motion to approve Out-of-State travel for two AMAFCA staff members to attend the Colorado Association of Stormwater and Floodplain Managers Conference in Keystone, Colorado, not to exceed \$2,800.00 per individual. Director Taylor seconded the motion, which passed (5-0).

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 previous and current month and answered questions from the Board.

- **General & Administrative**

FY 2023 Audit: AMAFCA staff met with the Auditor to discuss the scope and schedule for the FY2023 Audit. It was agreed that AMAFCA should continue producing an Annual Comprehensive Financial Report (ACFR). Given the extensive work being done by Ms. Maria Zuniga to document all processes and corrections, the schedule to complete the field work will remain the same. It is anticipated that the audit on the backend may take

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additional time to complete by the November Board Meeting. As a precaution, AMAFCA has requested additional services that will allow AMAFCA to submit the ACFR to the State Auditor by late November.

AMAFCA Staffing: The Director of Operations position has been advertised and phone interviews are being conducted. In person interviews will be scheduled in the near future. Adrienne Martinez, Engineer I, has taken over project manager duties for the Agency and Area-Wide Contract and the North Domingo Baca Dam Expansion Project.

- **Governmental Affairs - City of Albuquerque**

Balloon Fiesta Park: AMAFCA staff had many discussions with CoA staff concerning the events being planned on July 1st and July 4th and a loophole concerning insurance coverage. The AMAFCA Board had agreed in May to allow the larger agreement between CoA and AMAFCA to be modified. This modification has led to the necessity to extend the old agreement another 30 days.

Joint Projects: Chair Thomson and Director Brown met with Mayor Keller and staff.

- **Planning, Engineering, & R&D**

Southeast Valley Water Quality and Drainage Management Plan - Desert Property: AMAFCA purchased the Desert property and is working on having trash and debris removed. This will be the first project that will be designed to drain into the Valle de Oro Drainage Facility. AMAFCA will start discussions with Bernalillo County (BernCo) concerning cost sharing the construction and long-term maintenance.

- **Facilities Operations & Maintenance**

Access Control: AMAFCA crew has been actively repairing damaged fencing and gates. With what appears to be the utilization of various battery-powered tools such as grinders, there has been an increase of cut gates and fencing throughout the city.

Dust Control / Slope Stabilization – Bark Chips: AMAFCA has been hauling wood chips, donated by BernCo, to various locations throughout the city to address slope stabilization and to cut down on dust. The chips are being transported from Tijeras Canyon to AMAFCA dam sites.

Chair Thomson took a moment to recognize that during his visits to the AMAFCA office he had noticed Ms. Zuniga working diligently on the Financial cleanup. He thanked her for her hard work.

- 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 and answered a question from the Board.

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c. Resolution 2023-12, Designating Acting Executive Engineer During the Absence of the Executive Engineer

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board. Director Taylor made some editorial changes.

Director Brown made a motion that the Board approve and adopt Resolution 2023-12, Designating Acting Executive Engineer During the Absence of the Executive Engineer, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA, as amended. Director Taylor seconded the motion, which passed (5-0), on a roll call vote.

8. Financial Matters

a. FY2023 MIP Financial Program – Progress Report

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo. There were no questions.

b. Financial Matters – Acceptance of Financial Information

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo and answered numerous questions. Part of the presentation included a look back at the Conceptual Report; fair amount of work done for July 2022 to December 2022 with Cordova CPAs; verified bank statements were accurate; accounting system to match cash in bank; covered various timelines; Analyst with NM Department of Finance and Administration advised the FY 2024 Interim Budget was approved; the third and fourth quarter reports are being worked on; the Board will need to approve the formal budget in July; covered Bill.com and Journal Voucher processes; income will be uploaded into system; Moody's had inquired about To / Due from issue between the capital and debt funds and was satisfied with the response and confirmed AMAFCA maintained the AAA rating. Ms. Zuniga stressed there is more work to be done. The Board, again, thanked Ms. Zuniga for her hard work.

Responding to a question from the Board regarding the amounts listed for Black Forest, Ms. Adrienne Martinez, AMAFCA Engineer 1, advised she would follow-up with more information regarding the facilities and work done.

Director Brown made a motion that the Board accept the Financial Information. Director Taylor seconded the motion, which passed (5-0).

c. Approval of "Exhibit A" for Resolution 2006-08, Reimbursement for AMAFCA Goods and Services

Mr. Willie West, AMAFCA Real Estate Manager, summarized information provided in the memo and answered questions pertaining to the proposed \$.50 cent, per cubic year, increase on sediment sales.

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Director Brown made a motion that the Board approve "Exhibit A" of Resolution 2006-8, Reimbursement for AMAFCA Goods and Services (to include \$.50 cent increase for sediment sales). Director Martinez seconded the motion, which passed (5-0), on a roll-call vote.

d. Acceptance of Inventories

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, summarized information provided in the memo and answered questions from the Board.

Director Brown made a motion that the Board accept the Inventories as presented. Director Taylor seconded the motion, which passed (5-0).

e. Other Matters

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo. There were no questions.

f. Authorization to Procure New Accounting Software

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo stressing the need for updated software and answered questions from the Board.

Director Brown made a motion that the Board authorize the Executive Engineer to procure new accounting software with implementation, not to exceed \$60,000.00. Director Taylor seconded the motion, which passed (5-0).

9. Legal

a. Status Report

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

10. Not used

11. Joint Projects

a. City of Albuquerque – Update on Joint Projects

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, provided a verbal recap of the project. The presentation included the recent meeting(s) with the Mayor's office / CoA Chief Admin Officer Lawrence Rael; CoA still wants to participate in projects; CoA funding would be an issue for some projects; the agreement and encumbered funding for the Barelás and Alcalde Pump Stations may be deleted due to no CoA funding at this time; the Eastern Alvarado and Zuni Penn projects may happen in a couple of years when CoA may have funding; in the future AMAFCA will not encumber funding until CoA has funding; Ms. Nicole Friedt, AMAFCA Planning and Engineering Director, will be looking at modifying current agreements, which is a good compromise between

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CoA and AMAFCA. The AMAFCA funds for the Zuni Penn / Dallas Storm Drain will be made available when the CoA provides a 50/50 match. The Board reiterated its concern with the cuts CoA has made in its General Obligation (GO) Bond over the last three to four years. This year, the CoA GO Bond will be \$14M and next year down to \$8-9M. The Board was encouraged to talk to councilors and others who have influence to get those funds increased. During the meetings with the Mayor and CAO they did recognize the importance of stormwater quality.

b. Bernalillo County – Update on Joint Projects

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, provided a verbal recap stressing Ms. Nicole Friedt, AMAFCA Planning and Engineering Director, has been discussing projects with BernCo and will consider modifying agreement(s) with BernCo to be consistent with the agreements that would be put in place with CoA. There were no questions.

12. AMAFCA Field Highlights

a. Field Report

Mr. Jerry M. Lovato, AMAFCA Executive Engineer, provided a recap of events that happened during the months of June every year starting in 2002, presenting a retrospective of projects during his tenure at AMAFCA. There were no questions.

b. Construction Report

This item was not discussed.

13. Stormwater Quality

a. Program Update

Due to time constraints and not having the mailout (in a timely manner), Chair Thomson asked that this item be removed.

14. Recognition of Public Service

Chair Thomson noted there were three individuals who had recently retired and / or announced their retirement and acknowledged recently retired Mr. Bradley L. Bingham, was present.

a. Nolan Bennett, P.E., AMAFCA Field Engineer – Retirement

Chair Thomson presented Mr. Bennett a plaque of appreciation from the Board and congratulated him on his retirement. Mr. Bennett thanked the Board and followed up with various sentiments about AMAFCA, highlighting that he appreciated the AMAFCA crew and for everything they did for him. The AMAFCA Board, Mr. Lovato, AMAFCA staff, as well as members of the audience, extended well wishes to Nolan.

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b. Jerry M. Lovato, P.E., AMAFCA Executive Engineer – Retirement

Chair Thomson presented Mr. Lovato a plaque of appreciation from the Board and congratulated him on his upcoming retirement. Mr. Lovato thanked the Board and followed up with his own sentiments about AMAFCA, stressing that it was amazing to see the work that was done and appreciated the loyalty and pride his staff had shown him. The AMAFCA Board, as well as members of the audience, extended well wishes to Jerry.

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 11:53 a.m.

Elizabeth Newlin Taylor, Secretary – Treasurer, 7/27/2023

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.