



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
November 16, 2023
Page 1

1. Call to Order and Roll Call

Chair Thomson called the Board Meeting to order at 9:04 a.m., Thursday, November 16, 2023, at the AMAFCA office in Albuquerque, NM.

Directors present via Zoom and / or in person	Chair Bruce M. Thomson – at the AMAFCA building Director Tim Eichenberg – at the AMAFCA building Director Orlando G. Martinez, Jr. – at the AMAFCA building Director Elizabeth Newlin Taylor – at the AMAFCA building
--	--

Directors excused:	Director Ronald D. Brown
--------------------	--------------------------

Attorney present via Zoom and / or in person:	Daniel Grunow, Robles, Rael & Anaya – at the AMAFCA Building
--	--

Others present via Zoom and / or in person:	Kevin Troutman, Interim Executive Director Staff Other attendees on file at AMAFCA
--	--

A quorum was present.

2. Approval of Agenda

Director Taylor made a motion to approve the November 16, 2023 Agenda. Director Martinez seconded the motion. The motion passed unanimously (4-0).

3. Meetings Scheduled

- a. December 14, 2023, 9:00 a.m. – Regular Meeting & Board Holiday Lunch**
- b. January 2, 2024, 9:00 a.m. – Special Meeting**
- c. January 25, 2024, 9:00 a.m. – Regular Meeting**
- d. February 22, 2024, 9:00 a.m. – Regular Meeting**

The January 2, 2024 Special Meeting will be a short meeting to swear in the newly reelected director for District V. Director Taylor has a hearing in December and will not be able to attend the December meeting.

4. Items from the Floor / Public Comments

No items from the floor or public comments were received. Chair Thomson recapped AMAFCA's Open Meetings requirements.

AMAFCA Regular Meeting Minutes

November 16, 2023

Page 2

5. Approval of Minutes

a. October 26, 2023

Director Taylor made a motion to approve the Minutes of October 26, 2023. Director Eichenberg seconded the motion. The motion passed unanimously (3-0). Director Martinez was not present at the October meeting and abstained from voting.

6. Consent Agenda

Chair Thomson recapped Agenda Items **6.a. through 6.e.** on the Consent Agenda. The items were shared on the SmartBoard for all participants to view. Director Eichenberg made a motion that the Board accept the items on the Consent Agenda. The motion approved the following:

- Legislative Liaison / Lobbyist Services – First Extension of the Professional Service Agreement with Alarid Consulting;
- Bond Counsel Services – Advertise Request for Proposals;
- Financial Advisor Services – Advertise Request for Proposals;
- General Counsel Services – Advertise Request for Proposals; and
- 2024 ESRI International User Conference – Out of State Travel for two professional staff members for San Diego, CA, July 15-19, 2024.

There was a brief discussion regarding the Out of State Travel to the 2024 ESRI International User Conference.

Director Taylor seconded the motion. The motion passed unanimously (4-0).

7. Executive Director's Report

a. Notification of Past Month's Activities

Mr. Kevin Troutman, AMAFCA Interim Executive Director, referenced the mailout which highlighted significant activities from the previous and current month and answered questions from the Board.

Director of Operations: Ms. Paula Dodge-Kwan accepted the position of Director of Operations and will be starting on November 20, 2023.

AMAFCA Phone System: AMAFCA staff is evaluating options regarding a phone system replacement. One option would incorporate staff cell phones in lieu of a desktop phone. There are significant cost savings by reducing the number of desktop phones.

City of Albuquerque (CoA): A productive meeting took place with Mr. Patrick Montoya, Director of the Department of Municipal Development, regarding the status of many projects as well as the Post Office Pond. Discussions also took place with Mr. Terry Brunner, Director of the Metropolitan Redevelopment Agency, regarding the Post Office Pond site and the status of the Letter of Map Revision (LOMR) for the area. The LOMR is

AMAFCA Regular Meeting Minutes

November 16, 2023

Page 3

currently moving through the CoA process for floodplain administration and then will be submitted to the Federal Emergency Management Agency (FEMA) for review.

AMAFCA Security: Upgrades to the AMAFCA building access system have been completed. AMAFCA was unable to update the previous building access system and the number of access devices had dwindled to a number that would not support a full complement of staff. The new system has been designed with the remodel in mind and can easily be adapted to the new building layout.

First Quarter Budget Review: Staff completed an in-depth analysis of expenditures for the first quarter. Most line items are trending as anticipated.

Staff Engineer Position: Staff is preparing to advertise the Staff Engineer position with the hope of filling it before the end of the year. This position will report to the Director of Operations.

b. Notification of On-Call Services Task Orders

Mr. Kevin Troutman, AMAFCA Interim Executive Director, referred the Board to the memo for task orders issued over the last month. There were no questions.

8. Financial Matters

a. Financial Matters – Acceptance of Financial Information

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, along with Ms. Laurel Johnson, AMAFCA Accounting Manager, summarized information provided in the memo and answered questions from the Board. The presentation included General Fund Budget to Actuals; Revenues; Expenditures; Cash & Investments; Vendor Payments & Detail; and the Fund Recap. There was a brief discussion regarding the message AMAFCA is presenting on promotional items that are handed out at different venues. The Board asked staff to make sure that all future orders of promotional items have AMAFCA's mission statement of Protecting Life and Property printed on them as opposed to only having AMAFCA and / or the cloud logo. After a brief discussion regarding AMAFCA security costs, the Board authorized more random drive-by security patrols to be done on AMAFCA facilities.

Director Eichenberg made a motion that the Board accept the Financial Information. Director Taylor seconded the motion. The motion passed unanimously (4-0).

b. Other Matters

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo and walked the Board through upcoming tasks within the ConceptBoard system.

9. Legal

a. Status Report

Attorney Daniel Grunow referred the Board to the memo. There were no questions.

10. Joint Projects

a. La Cueva Survey & Hydraulic Analysis Project – Rain on Grid Update

Mr. Jared Romero, AMAFCA Drainage Review Engineer and Ms. Nicole Friedt, AMAFCA Director of Planning & Engineering, summarized information provided in the memo and answered questions from the Board. Some of the information presented included the study area that was a joint project with Bernalillo County (BernCo); it was a continuation of work done for the North Domingo Baca tributaries in North Albuquerque Acres (NAA); project would run a comprehensive hydraulic analysis of the arroyo to identify the impacts of encroachments to AMAFCA; AMAFCA and BernCo staff reviewed the existing conditions results of the hydraulic analysis for the La Cueva arroyo in early 2023; results indicated that at several locations, particularly at locations where the arroyo crosses an eastbound/westbound roadway, flow was leaving the arroyo flowpath and diverting down the roadway; this information had been anticipated by staff and was also observed in the work done for the North Domingo Baca tributaries in 2020; the magnitude of the diversions of the La Cueva are much greater than seen previously; BernCo and AMAFCA decided that an analysis of these potential diversions across the entire NAA subdivision is warranted; the NAA Drainage Management Plan (DMP) was adopted in 1998 and audited in 2013; the hydrologic analysis was done using the AHYMO computer software, which does not work on current computer operating systems; and current rainfall values take into account an additional 20+ years of information for the Albuquerque metropolitan area; it was discovered that there were significant discrepancies in the terrain tie-in locations where the 2022 NAA lidar, the 2018 MRCOG lidar, and the USGS National Elevation Dataset terrain data met; AMAFCA and ESP were able to locate and utilize 2017 lidar data for the East Sandia Mountain area to supplement the terrain used for the modeling; staff has received the first iteration of the two-dimensional rain-on-grid model for review; and it is anticipated that several locations will be modified to convey flow from culverts, storm drains, or channels that were not captured in the available terrain data; and old DMPs are being pulled forward to update to modern methodology; this is one project that can be done as a long range goal; ESP is the consulting firm helping AMAFCA develop the model; technology and software improvements have jumped dramatically hydraulically in the last few years; and Hydrologic Engineering Centers River Analysis System (HEC-RAS) is the standard model that was developed that is rapidly being adopted by other communities in the southwest as the standard of practice for hydraulic analysis.

11. AMAFCA Projects

a. Ladera Dam 5 Diversion – Award of Construction

Ms. Marie VanDerGeest, AMAFCA Drainage Engineer, summarized information provided in the memo. Staff noted the discrepancy between the Engineer's Estimate and the Bid that was submitted. There was a brief discussion noting that the procurement code has a clause noting that if in the best interest of the local public body all bids may be rejected; staff is evaluating advertising timelines and methodology to try to get more Request For Proposals (RFPs) and Bids; indications are that if there was a longer timeline there would be more RFPs and /or Bids submitted; contractors that do this type of work are busy; the project is calling for opening a dam so there are concerns with a portion of the work taking place during monsoon season; the large portion of the project pertains to roadway right-of-way that can happen at any time of year, but the upstream and downstream ends would need to have special care.

AMAFCA Regular Meeting Minutes

November 16, 2023

Page 5

Director Eichenberg made a motion that the Board reject all Bids and readvertise for the Ladera Dam 5 Diversion project. Director Taylor seconded the motion. The motion passed unanimously (4-0).

b. Ladera Dam 5 Diversion – Approval of Amendment 8 for Construction Management Services

Ms. Marie VanDerGeest, AMAFCA Drainage Engineer, advised the item was now considered an information item and recapped the need for the amendment. Mr. Troutman stated that the item may be pushed back pending what happens with the readvertisement for Bids as referenced in Item 11.a.

c. FY 2025 Project Schedule – Project Introduction

Ms. Nicole Friedt, AMAFCA Director of Planning & Engineering, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding collaborators; the projects are entity based; the Project Schedule has notations for possible green bond projects and AMAFCA could note the same for federal funded projects; the project schedule has two identifications, one being cost share partners and stakeholders who are smaller entities that are impacted but might not be able to come to the table with funding; the Pueblos are not included in AMAFCA's enabling legislation and are outside of AMAFCA's jurisdiction because they are sovereign entities; and the Project Schedule timeline was moved so that the AMAFCA Lobbyists would have the document prior to the start of the January 2025 Session of the New Mexico Legislature.

d. North Unser Pond - Agreement for Funding, Design, Construction, and Maintenance with the City of Albuquerque - Draft Supplemental Agreement No. 1

Ms. Marie VanDerGeest, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation noted the project is anticipated to start the end of 2024 or beginning of 2025; the original document was provided to CoA and legal counsel; developers have not funded any portion of the project since it is tied into the transportation project; the surrounding landowners will have to provide infrastructure to allow them to drain into the pond; CoA has moved forward for acquisition of the land to provide the space for the pond; pond overarching in Paradise at Unser was identified in the Upper Piedras Marcadas DMP that identified the lack of capacity in the Piedras Marcadas Dam; identified diversions noted in the Boca Negra Dam and the Calabacillas Arroyo; associated development, until the facilities are built, are not allowed to discharge and are required to fully retain on site until the associated infrastructure is constructed; the project is moving along at the pace of the U.S. Department of Transportation (DoT); and the project is not controlled by CoA but by the DoT process. The Board requested that when a supplement to an agreement is needed that staff make sure to have the original contract as well for comparison purposes.

AMAFCA Regular Meeting Minutes

November 16, 2023

Page 6

12. AMAFCA Field Highlights

a. Field Report

Ms. Nicole Friedt, AMAFCA Director of Planning & Engineering, provided a report on various projects / events and answered questions from the Board.

b. Construction Report

Ms. Nicole Friedt, AMAFCA Director of Planning & Engineering, referenced the Construction Report. There were no questions.

13. Stormwater Quality

a. Storm Water Quality Education Coordinator – 2023 Program Review – Presentation by Sunny505

Ms. Dezaree Vega Garcia, President of Sunny505, briefed the Board on the Storm Water Quality program and answered questions. The presentation included information on the program including an overview; survey; outcomes report; programs; ongoing social media; sponsorships; and upcoming events.

b. Storm Water Quality Education Coordinator – Approval of Third / Final Extension

Ms. Dezaree Vega Garcia, President of Sunny505, answered questions from the Board.

Director Eichenberg made a motion that the Board approve the third and final extension to the professional services agreement with Sunny505. Director Martinez seconded the motion. The motion passed unanimously (4-0).

14. Executive Session (closed)

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

b. Personnel Matters (§ 10-15-1(H)(2))

Chair Thomson advised Agenda Items to be discussed under Closed Session would be Item 14.a. Threatened or Pending Litigation (§ 10-15-1(H)(7)) and 14.b. Personnel Matters (§ 10-15-1(H)(2)). The meeting was at the AMAFCA building with four Directors in attendance. Director Eichenberg 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 and Personnel Matters. Director Martinez seconded the motion, which passed unanimously (4-0), on a roll call vote. The Board asked that Messrs. Troutman and West, along with Legal Counsel, remain for Item 14.a. Only Mr. Troutman and Legal Counsel remained for Item 14.b.

AMAFCA Regular Meeting Minutes

November 16, 2023

Page 7

Chair Thomson closed the meeting at 10:56 a.m. Chair Thomson made a motion to re-open the meeting at 11:37 a.m. Director Eichenberg seconded the motion, which passed unanimously (4-0) on a roll call vote. Chair Thomson stated that Threatened or Pending Litigation and Personnel Matters were discussed, and no action was taken.

15. Unfinished Business

None.

16. New Business

Director Martinez and Mr. Jared Romero recapped a project for storm water drainage at Chaparral Elementary School for a splashpad on the property; capital outlay monies have been set aside for the project; Albuquerque Public Schools (APS) advised they cannot go into agreement with CoA until they have received AMAFCA's blessing; the location is at Ladera Dam 16b at the intersection of Atrisco and Western Trail; the project is the drainage pond maintained by CoA on APS property; AMAFCA has a drainage easement over the property; APS Real Estate Department had not been aware of the plans for a splashpad; at the time the easement was granted AMAFCA had transferred maintenance of the pond to CoA; this is a regional facility; around 2020 AMAFCA assisted in conducting a feasibility study for the impact of the splashpad on drainage at the school; there has not been anything communicated recently regarding the easement; there is no financial contribution needed from AMAFCA; a letter of support was requested; there may be a permitted use request needed for the project; and if there is a financial contribution, that does not hurt an AMAFCA facility, and would be considered part of a flood control facility, it can be brought back to the Board for financial assistance. The Board agreed that a letter signed by the Board Chair and Executive Director be drafted.

17. Adjourn

There being no further business to come before the Board, Chair Thomson adjourned the meeting at 11:44 a.m.

Orlando G. Martinez, Jr., Assistant Secretary – Treasurer, 12/14/2023

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.