



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**January 25, 2024**  
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**1. Call to Order and Roll Call**

Chair Thomson called the Board Meeting to order at 9:01 a.m., Thursday, January 25, 2024, at the AMAFCA office in Albuquerque, NM.

Directors present via Zoom and / or in person      Chair Bruce M. Thomson – at the AMAFCA building  
Director Ronald D. Brown – 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:                      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:      Kevin Troutman, 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 January 25, 2024 Agenda. Director Brown seconded the motion. The motion passed unanimously (5-0).

**3. Meetings Scheduled**

- a. February 22, 2024, 9:00 a.m. – Regular Meeting**
- b. March 28, 2024, 9:00 a.m. – Regular Meeting**
- c. April 25, 2024, 9:00 a.m. – Regular Meeting**

Director Eichenberg advised he would be present at the February 22, 2024 meeting via Zoom. There were no changes to the dates listed above.

**4. Election of Officers**

- a. Chair**

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- b. Vice Chair**
- c. Secretary-Treasurer**

Chair Thomson nominated a three person slate as follows: Director Brown to serve as Chair, Director Taylor as Vice Chair, and Director Martinez, as Secretary-Treasurer. Director Eichenberg seconded the motion. The motion passed unanimously (5-0).

- d. Assistant Secretary-Treasurer**

Director Eichenberg nominated Director Thomson to serve as Assistant Secretary-Treasurer and moved to close the nomination. The motion passed unanimously (5-0).

The 2024 Board Officers are:

Ronald D. Brown, Chair  
Elizabeth Newlin Taylor, Vice Chair  
Orlando G. Martinez, Jr., Secretary-Treasurer  
Bruce M. Thomson, Assistant Secretary-Treasurer

The meeting was turned over to Chair Brown.

### **5. Appointment to Boards and Committees**

- a. MRCOG Executive Board**
- b. MRCOG Board of Directors**
- c. Middle Rio Grande Water Resources Board**
- d. Metropolitan Transportation Board**
- e. Personnel and Salary Committee**
- f. Strategic Planning Committee**
- g. Financial Committee**
- h. Real Estate Committee**

This item was deferred to the February Board meeting. Chair Brown will get with each Director to discuss positions.

### **6. Items from the Floor / Public Comments**

No items from the floor or public comments were received.

### **7. Approval of Resolution 2024-01, Open Meetings Standards**

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo and answered a question from the Board.

Director Eichenberg made a motion that the Board approve and adopt Resolution 2024-01, Open Meetings Standards, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Taylor seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

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### 8. Approval of Minutes

#### a. December 14, 2023

Director Eichenberg made a motion to approve the Minutes of December 14, 2023. Director Taylor seconded the motion, which passed (5-0).

#### b. December 19, 2023

Director Eichenberg made a motion to approve the Minutes of December 19, 2023. Director Taylor seconded the motion, which passed (5-0).

#### c. January 2, 2024

Director Taylor advised an editorial change was needed.

Director Taylor made a motion to approve the Minutes of January 2, 2024, as amended. Director Eichenberg seconded the motion, which passed (4-0). Director Martinez recused himself since he was not present.

### 9. Executive Engineer's Report

#### a. Notification of Past Month's Activities

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

*Personnel:* Staff is scheduling interviews for the Staff Engineer position. The Director of Administration position will be advertised soon.

*Kirtland Air Force Base (KAFB) Grade Control Structures:* Shortly after the December Board meeting, and before a letter was sent to KAFB, KAFB contacted AMAFCA wishing to cancel the contract. KAFB staff has requested a final invoice, and it appears KAFB intends to pay the full amount due.

*Federal Lobbyist:* Director Thomson and Mr. Troutman met with Messrs. John O'Donnell and Kyriakos Pagonis, AMAFCA's Federal lobbyists. Topics of discussion were the Environmental Protection Agency (EPA) Stormwater Centers of Excellence and opportunities for Federal funding. EPA has funds for several Stormwater Centers of Excellence throughout the country. UNM is preparing a proposal with collaboration from SSCAFCA and AMAFCA. AMAFCA's role would most likely be as source of technical information and possibly allow facilities to be used as a field laboratory. Mr. O'Donnell also informed AMAFCA that the City of Albuquerque (CoA) is seeking Federal funds for the Hahn Arroyo and the Northwest Levee. The idea is AMAFCA would help to fund the Corp of Engineers for a study for the Northwest Levee. AMAFCA expressed concerns regarding Federal funding. The State is having a challenging time disbursing hazard mitigation money through the State, and it was confirmed New Mexico Department of Homeland Security is short staffed. Since AMAFCA does not have legislative authority to

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enact and enforce ordinances, it cannot be designated a National Floodplain Insurance Program community; consequently, AMAFCA has less access to hazard mitigation funding. Both CoA and Bernalillo County (BernCo) have floodplain administrators and have enacted floodplain ordinances. In addition, those funds are routed through the State of New Mexico.

*Zuni Penn Pond:* CoA has begun construction on the International District Library Pond and Storm Drain connection associated with it. AMAFCA has contracted with Parametrix to develop a Storm Water Management Model (SWMM) of the system that should be available in February. CoA currently has \$5 million from the recently approved bond identified for this project. The volume of the Pond is 5 +/- acre feet.

*AMAFCA Office Modifications:* Staff has met with the contractor regarding the schedule for the office modifications. A finalized schedule should be available soon. As construction progresses, it will be necessary to move the AMAFCA Board of Directors meetings to an off-site location. It looks like the February and March meetings will be at the AMAFCA office. Staff is evaluating options currently. The Board requested that a presentation be made in February or March regarding sequencing of the remodel.

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

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

## **10. 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; Fund Recap; and new graphs.

Director Eichenberg made a motion that the Board accept the Financial Information. Director Martinez seconded the motion. The motion passed unanimously (5-0).

### **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.

### **c. Second Quarter Budget Update**

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

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### **d. Resolution 2024-02, Fiscal Year 2024 Budget Adjustment for the Construction Fund**

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, summarized information provided in the memo and answered questions from the Board. Director Taylor asked that the missing Budget information for the Resolution be added.

Director Taylor made a motion that the Board approve and adopt Resolution 2024-02, Fiscal Year 2024 Budget Adjustment for the Construction Fund, as amended, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Thomson seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

## **11. AMAFCA Items**

### **a. AMAFCA Holiday List – Discussion**

Mr. Kevin Troutman, AMAFCA Executive Director, referenced the mailout listing the current holidays that AMAFCA and other governmental agencies observe. After a brief discussion, the Board agreed that both Juneteenth and Indigenous Peoples Day be added to the AMAFCA observed holidays. The item will be brought back to the Board in February for approval from the AMAFCA Board of Directors.

### **b. Authorization to Remove Items from Inventory**

Mr. Willie West, AMAFCA Real Estate Manager, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding the items up for removal as well as those items that are no longer functional or have reached their life expectancy. Mr. West advised that the items removed would be auctioned off through an appropriate source.

Director Martinez made a motion that the Board approve the removal of the obsolete items from AMAFCA's Inventory. Director Taylor seconded the motion, which passed unanimously (5-0).

### **c. Review of Records Retention and Disposal Schedule**

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo and answered questions from the Board. The State of New Mexico implemented the Public Records Act in 1978 requiring state agencies and public entities to develop records retention and records disposal schedules. AMAFCA's most recent Records Retention Policy was adopted by the AMAFCA Board in 2009 with minor updates to job titles within the policy in 2013. The current policy is limited and does not include the entirety of the records retention schedule implemented by the New Mexico Records Management Bureau. There was a brief discussion regarding AMAFCA not being under the State Records Management Bureau since AMAFCA is considered a municipality; AMAFCA had been referred to the New Mexico Municipal League for its disposal schedule; AMAFCA's proposed schedule takes some of its guidance into account; the disposal schedule would be the same regardless of electronic or paper files; the Board requested additional time be added to the disposal schedule for both Audit Reports and Bond issues; there are various personnel files that are to be kept for 50 years which are noted as forever; and when the schedule is to be amended, the Executive Director will update the Board.

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**d. Approval of Resolution 2024-03, Records Retention and Disposal Policy**

All questions were answered in the previous Agenda item.

Director Thomson made a motion that the Board approve and adopt Resolution 2024-03, Records Retention and Disposal Policy, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Eichenberg seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

**12. Legal**

**a. Status Report**

Chair Brown referred the Board to the Legal Status Report in their Board folder. There were no questions.

**13. Legislative Liaison**

**a. Briefing on the 2024 New Mexico Legislative Session**

Mr. Kevin Troutman, AMAFCA Executive Director, advised Ms. Alarid was busy in Santa Fe with the Legislative Session. Director Eichenberg recapped a text he had received from Ms. Alarid noting some of the following: 10 days into the session; junior money for programming was due on 1/24/2024; Capital Outlay was due on 1/24/2024 and will be finalized on 1/28/2024; AMAFCA is fully funded at \$350,000.00 from commitments Ms. Alarid had received from Legislatures (for AMAFCA equipment); and watching various PERA Bills that include increases in dues and their due dates. There was a brief discussion regarding the AMAFCA Project Schedule; PERA Bills, Stormwater capture; next year AMAFCA might want to work with ABCWUA and / or the District on Stormwater Capture; AMAFCA has been in discussions with SSCAFCA regarding Colorado's Stormwater Capture program; and if the Board is serious about pursuing Stormwater Capture (Director Thomson will handle), look at a sponsor to get information to the interim committees before the 2025 Legislative Session.

**14. On-Call Storm Water Quality / Environment Engineering Services – Approval of Second Extension**

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo. Mr. Troutman noted Bohannon Huston had requested an increase in rates for their agreement.

Director Thomson made a motion to approve the second extensions for the On-Call Storm Water Quality / Environmental Engineering Services agreements (with Bohannon Huston, Inc. to include a requested rate change, NCS Engineers, Tetra Tech, Inc., and Weston Solutions, Inc.). Director Eichenberg seconded the motion, which passed (5-0).

**15. Joint Projects – City of Albuquerque**

**a. Approval of Supplemental Agreement No. 1 to the Agreement for North Unser Pond – Agreement for Funding, Design, Construction, and Maintenance with the City of Albuquerque**

Ms. Marie VanDerGeest, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Responding to a question from the Board, it was noted that while the original agreement did not call out how much of a split on the cost share there would be, the Supplemental Agreement does, along with additional information that was finalized with the Supplement.

Director Taylor made a motion that the Board approve Supplemental Agreement No. 1 to the Agreement for North Unser Pond – Agreement for Funding, Design, Construction, and Maintenance with the City of Albuquerque. Director Thomson seconded the motion, which passed (5-0).

**16. AMAFCA Projects**

**a. Swinburne Dam Grade Control Structure – Approval of Professional Services Contract with Bohannon Huston, Inc.**

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered the need to remove 466,000 cubic yards of sediment from the dam pool; the Main and West Branch Arroyos will need to be lowered approximately 15 feet from the existing outlet elevations; the two existing grade control structures at the end of the Main and West Branch Arroyos upstream of Swinburne Dam are not designed or constructed to accommodate the lowering of the outlets; there has been interest to remove sediment depending on the quality of the material; once the outlets have been taken care of the removal of sediment will be advertised; and material has been removed from the East Amole Surge Pond for the CoA roadway.

Director Thomson made a motion that the Board approve the Swinburne Dam Grade Control Structure Professional Services Contract with Bohannon Huston, Inc. Director Taylor seconded the motion, which passed (4-0). Director Eichenberg had stepped away from the meeting after recusing himself.

**b. FY 2025 AMAFCA Project Schedule – Project Update**

Mr. Jared Romero, AMAFCA Development Review Engineer, summarized information provided in the memo and answered questions from the Board. A final list of projects will be presented at the February Board meeting along with the yearly projection estimating the time of the projects identified; March 2024 selected project write ups and draft of the FY 2025 Project Schedule to be presented; April 2024 Draft FY 2025 Project Schedule to be presented; May 2024 Adoption of the final Project Schedule will be presented; June and / or July 2024 the Final FY 2025 Project Schedule will be mailed to elected officials, partners, and stakeholders.

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**c. Construction Report**

Mr. Kevin Troutman, AMAFCA Executive Director, referenced the Construction Report. There were no questions.

**17. AMAFCA Field Highlights**

Mr. Kevin Troutman, AMAFCA Executive Director, provided a report on various projects / events and answered a question from the Board.

**18. Real Estate**

**a. Tuscany Village (Tract N-7-A-1 Tanoan Properties) – Acceptance of new Access Easement and Vacation of existing Access Easement**

Mr. Jared Romero, AMAFCA Development Review Engineer, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding the lots involved in the area; the acceptance does not have any protection or a guarantee in platting access; AMAFCA Legal should review; and if the Board approves now and the developer does not follow up and walks away AMAFCA is stuck. The Board agreed to accept with the review of both AMAFCA Legal Counsel and the Real Estate Manager.

Chair Brown recused himself and turned the meeting over to Vice Chair Taylor before stepping out of the room.

Director Thomson made a motion that the Board authorize the Executive Director or his designee to approve the subject plat with the dedication of a new AMAFCA access easement and vacation of the existing access easement, subject to review by AMAFCA Legal Counsel and the AMAFCA Real Estate Manager. Director Eichenberg seconded the motion. The motion passed unanimously (4-0). Director Brown had stepped out of the meeting after recusing himself.

**19. Unfinished Business**

None.

**20. New Business**

None.

**21. Adjourn**

There being no further business to come before the Board, Vice Chair Taylor adjourned the meeting at 11:30 a.m.

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Orlando G. Martinez, Jr., Secretary – Treasurer, 2/22/2024

*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.*