



**Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
March 28, 2024
Page 1**

1. Call to Order and Roll Call

Chair Brown called the Board Meeting to order at 9:00 a.m., Thursday, March 28, 2024, at the AMAFCA office in Albuquerque, NM.

Directors present via Zoom and / or in person Chair Ronald D. Brown – at the AMAFCA building
Director Tim Eichenberg – at the AMAFCA building
Director Elizabeth Newlin Taylor – at the AMAFCA building
Director Bruce M. Thomson – at the AMAFCA building

Directors excused: Director Orlando G. Martinez, Jr.

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 Thomson made a motion to approve the March 28, 2024 Agenda. Director Taylor seconded the motion. The motion passed unanimously (4-0).

3. Meetings Scheduled

- a. April 25, 2024, 9:00 a.m. – Regular Meeting – Balloon Fiesta Event Center**
- b. May 23, 2024, 9:00 a.m. – Regular Meeting – Balloon Fiesta Event Center**
- c. June 27, 2024, 9:00 a.m. – Regular Meeting – Balloon Fiesta Event Center**

Board of Directors meetings for the months of April through August will be held at the Balloon Fiesta Event Center at 9401 Balloon Museum Drive in Albuquerque. The location will be listed on the agenda and well as on the AMAFCA website.

4. Items from the Floor / Public Comments

No items from the floor or public comments were received.

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 2

5. Approval of Minutes

a. February 22, 2024

Director Eichenberg made a motion to approve the Minutes of February 22, 2024. Director Taylor seconded the motion, which passed (4-0).

6. Consent Agenda

Chair Brown 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 Taylor made a motion that the Board accept the items on the Consent Agenda. The motion approved the following:

- 41st National Association of Latino Elected and Appointed Officials Conference – Reimbursement for Out of State Travel to Las Vegas, NV, June 18-24, 2024;
- 2024 StormCon Conference – Out of State Travel to Reno, NV, August 27-29, 2024;
- Dam Safety Conference – Out of State Travel to Denver, CO, September 22-26, 2024;
- Hubbell Lake Dam Expansion Project – Amendment Three to the Professional Services Contract with Bohannon Huston, Inc., substantially as attached; and
- South Pino Arroyo Outfall Encroachment and Maintenance Agreement for Drying Bins with the City of Albuquerque (CoA).

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

Responding to a question regarding CoA Open Space being on board with the Hubbell Lake Dam Expansion, Ms. Nicole Freidt, AMAFCA Director of Planning and Engineering, noted that AMAFCA made two separate presentations to the Open Space Advisory Board, per their request, and AMAFCA received concurrence on the Conceptual Site Plan from various CoA departments, including CoA's Environmental Planning Department.

7. Executive Director'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.

AMAFCA Office Modifications: The first phase of construction has started. The lower-level service bay pit has been filled, the garage doors have been removed, and the exterior wall framed. The outside of the building has a retaining wall being installed. The upper-level flooring has been removed from the eastern half of the building and the new wall in the former Embudo Room has been framed. An ADA-compliant access ramp has been poured for the southeast entrance. Staff is scheduled to vacate the west side of the building once the east side has been completed. At that time, the employee entrance will serve as the main public entrance and staff will relocate the Board of Directors meetings to the Balloon Fiesta Events Center from April through August. The location for the September meeting will be determined at a future date. Staff learned that the 1993 drawings of the building have the sewer line location incorrectly identified. Originally, it was thought the

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 3

sewer line ran to the west. The line runs to the north instead. The line was found while digging footings for the retaining wall. When tracing the line, it was discovered that the pipe is damaged between the building and the bottom of the hill. There is also a large piece of debris lodged in that section of pipe. Below the break, ductile iron pipe was used where the storm drain in the maintenance yard parking area crosses the line and is now failing. Farther down the line there is about an approximate two-inch vertical offset between the pipes. A code compliance issue has been found with the stairs to the lower level. These stairs are currently too steep and too narrow with one known workplace injury on file. Staff is evaluating viable options for compliance. Responding to a question on the trees that were no longer on the AMAFCA property, Mr. Troutman advised there was an issue with the electrical conduit being installed as well as lines for the security cameras. Following up on the question, Mr. Willie West, AMAFCA Real Estate Manager, advised that more trees will be added than were originally on site, which will create a better buffer.

AMAFCA Information Technology: The AMAFCA phone system had another system failure this month. The phone system is back online and staff plans to proceed with a cloud-based replacement to reduce overall equipment costs and provide a better framework for office mobility.

AMAFCA Accounting Software: Staff deployed the new accounting software. There have been a few minor snags during the rollout and the implementation has gone smoothly for the most part.

Zuni-Penn Pond: Staff is continuing to evaluate the Storm Water Management Model (SWMM) on the Dallas Storm Drain system and the possible effects of both the International District Library Pond and the future Zuni-Penn Pond.

AMAFCA Trailer: One of the smaller AMAFCA trailers was stolen from behind several locked gates near Balloon Fiesta Park. Staff is working with AMAFCA's insurer on a resolution. Battery-packed GPS systems may be added onto the trailers and small equipment. Geofences are being utilized on the bigger equipment.

LGBMS: Staff has been reviewing the process for uploading the Fiscal Year (FY) 2025 budget(s) into the Local Government Budget Management System (LGBMS). AMAFCA will need to upload and validate the budget and ask the AMAFCA Board to take action on the budget at the April meeting rather than the May meeting. The Department of Finance and Administration (DFA) requires the budget(s) be in the system by June 1. A new budget analyst at DFA prompted the change to require entering data into LGBMS. As a result, there was not adequate time to fully analyze the steps to crosswalk and upload the budget(s).

City of Albuquerque Injunction: District Court reissued an injunction regarding homeless individuals and the enforcement of ordinances by CoA after the Supreme Court hearing. AMAFCA-owned lands (along with other government entities) are explicitly exempted from the injunction as are arroyos, ditches, and irrigation channels.

AMAFCA, and AMAFCA's project consultant, Wilson & Company, won an award from the American Council of Engineering Companies (ACEC) for the Valle del Oro project. The award was not included in the Board memo because it happened recently.

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 4

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. He answered questions from the Board pertaining to the use of the AMAFCA drone, why AMAFCA is not able to use one at this time, and the possibility of purchasing a smaller one with better technology in the future.

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; and Cash & Investments. Ms. Zuniga stressed that the Board would need to take action on the FY 2025 at the April meeting to comply with DFA's requirement to have the budget in its system.

Director Thomson made a motion that the Board accept the Financial Information. Director Eichenberg 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. Ms. Zuniga noted that she will be taking a vacation in May and Ms. Johnson would be handling the Financial presentations to the Board.

9. AMAFCA Bond Program

a. 2024 Bond Election – Review of Draft Resolution

Ms. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo. There were no questions.

10. Personnel Matters

a. Approval of Remote Work Policy

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo. He noted the draft policy had been presented to the Board in October 2023. The document had been reviewed by Legal Counsel and the Personnel and Salary Committee. Only redundant grammar would be removed from the policy.

Director Taylor made a motion that the Board approve the Remote Work (Telecommuting) Policy, substantially as attached. Director Thomson seconded the motion, which passed unanimously (4-0).

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 5

11. Legal

a. Status Report

Attorney William Zarr summarized information provided in the memo and answered questions from the Board regarding the City of Albuquerque's injunction.

12. AMAFCA FY2023 Audit

a. AMAFCA FY2023 ACFR – Public Presentation and Acknowledgement of Satisfactory Completion of the FY2023 Audit

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, introduced Mr. A.J. Bowers with Carr, Riggs, and Ingram. Mr. Bowers answered questions from the Board and covered items such as: Audit Timeline; Auditor's Reports; Statement of Net Position; Statement of Activities, Auditor Responsibility; Management Responsibility; New and Upcoming Standards; Value Added Suggestions; and Concluding Comments.

Director Thomson made a motion that the Board approve the FY 2023 Audit. Director Eichenberg modified the motion, to reflect that the Board accept the FY 2023 Audit (as presented), which passed unanimously (4-0), as amended.

13. AMAFCA Projects

a. Boca Negra Arroyo Drainage Management Plan (DMP) Update – Overview of Draft DMP

Ms. Marie VanDerGeest, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. The presentation included the Analysis Points Map; Overall Watershed map; Developed Conditions Model (DCM) #8 (conditions listed below) with 100-year, 24-hour Flow Rates and Volumes for Quail Ranch and Double Eagle Airport ponds, as well as the Boca Negra Detention Dam. All four DCMs address capacity constraints of the Dam and other downstream infrastructure limitations. However, the first DCM only works if all basins install a pond' otherwise, this model is essentially an improved existing condition, and the Dam would still overtop.

Four different Alternatives / DCMs have been developed:

1. Fully developed conditions with a localized detention facility in each basin to reduce flows to 30% of existing conditions. Most of the detention responsibility would be on private property owners.
2. Partial developed conditions with a regional detention facility located midway through the watershed (Pond Option 1); existing conditions modeled upstream of Pond Option 1 and developed conditions modeled downstream of Pond Option 1.
3. Fully developed conditions model with Pond Option 1 and Quail Ranch Pond (assuming entire watershed developed).
4. Fully developed conditions with a regional detention facility located just upstream of the Dam (Pond Option 2) with Quail Ranch Pond included.

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 6

Ms. VanDerGeest stressed the logistics of the regional facility has not been finalized and will be determined during future studies. The finalized DMP will be completed and the recommended alternative will be presented to the Board next month. The discussion continued with questions including a recap of the various sized ponds and their locations; AMAFCA would be responsible for acquiring land for either Pond Option 1 or 2; the deficiency in the Boca Negra Dam is associated with the rock; when the dam constructed it was scraped down to the rock surface and channels were blasted out so that water could flow through; and now to increase capacity of the Dam, AMAFCA will need to blast out additional rock next to homes and the PNM substation. The discussion continued asking about the possibility of increasing capacity and getting land donated (by Quail Ranch); the Quail Ranch plan takes into consideration what has been accepted and published to date; it was asked if there was the probability of going back to the original plan that was presented by Mr. Chuck Easterling, years ago, pertaining to Quail Ranch, which showed plans to keep all water on site; Ms. Friedt covered retention, detention, and water rights (Option 1 or Option 2 upstream is based on current information). Regarding how much water gets to the Dam, a 100-year storm would have the majority of the water that flows reach Boca Nega Dam. Boca Negra Dam is bisected by Open Space and the Petroglyph National Monument. Responding to a question regarding Green Stormwater Infrastructure (GSI), Ms. Friedt covered the three scenarios / models that were run for the DMP, noting there would no benefit for a 100-year storm and most GSIs are for a typical rainfall event. Responding to a request from the Board that AMAFCA / Bohannon Huston have a comment included in the Final DMP regarding the potential benefit of GSI for the large storms, Ms. Friedt replied that it could be done.

b. Construction Report

Ms. Adrienne Martinez, AMAFCA Project Engineer, referenced the Construction Report and answered a question from the Board.

14. FY 2025 Project Schedule

a. Review of Project Text

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, summarized information provided in the memo and answered questions from the Board. The Board was provided with the list of selected projects with a breakdown of the estimated timing and cost per fiscal year; detailed write ups for each project; and a conceptual rendering of the aesthetic theme for the document. Staff will present the draft FY 2025 Project Schedule in April 2024, with adoption of the final Project Schedule in May 2024; the Project Schedule does not bind the Board or AMAFCA to any specific project; as done in the past, the Board will approve each project individually; the Project Schedule is intended as a planning guide; projects may be completed out of order, omitted, or new projects added as AMAFCA's priorities change. There was a brief discussion regarding CoA's Bond Program funding that have been cut substantially every year; the term stakeholder does not mean a financial contribution to the project, but rather that some form of an agreement exists between AMAFCA and the agency; the Office of the State Engineer may not have funds and they are a stakeholder since they are the Regulatory Authority (for Dams); AMAFCA did not list federal grants and, if received, would add them to projects on a case-by-case basis; AMAFCA's federal lobbyist is enthusiastic about obtaining federal funding; most federal funds (FEMA) need to be routed through the State because AMAFCA is not a National Flood Insurance Program (NFIP) community; and the South Diversion Channel Access Project does not have a timeline since it is a

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 7

private development (University of New Mexico) and UNM will set the timeline and the project should be covered by their development program.

15. Stormwater Quality

a. Statewide MS4 Permit Update

Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered NPDES Middle Rio Grande (MRG) Watershed Based MS4; permit issued to AMAFCA in 2014 / expired in 2019; permit in administrative continuance since 2019 with annual compliance reporting still required; AMAFCA was notified in February 2024 that the MRG Watershed-based Permit will not be renewed; one statewide MS4 permit to be issued for entire state; draft version of Statewide MS4 permit to be issued in 2024; 90-day (anticipated) public comment period; a strawperson version of statewide permit has been shared with stakeholders; initial comments due to the Environmental Protection Agency (EPA) by April 30, 2024; MRG Technical Advisory Group (TAG) to meet in early April to combine comments; coverage under the new statewide MS4 permit will include new two-step general permit process; Notice of Intent (NoI) issued after Stormwater Management Program (SWMP) has been prepared and submitted to EPA for review; questions remain about timing of the New Mexico Environmental Department (NMED) review of submitted SWMP; EPA needs certifications from Pueblos of Santa Ana, Isleta, and Sandia for the middle Rio Grande; additional tribal certifications from other areas of NM are likely and will further complicate issues of the statewide permit; EPA needs coordination with downstream entities and may include the State of Texas; additional water quality testing will be required for new pollutants like microplastics and per-and polyfluoroalkyl substances (PFAS) also known as forever chemicals.

Mr. Chavez stressed that there are no longer co-permittees and each former co-permittee would be considered an individual permittee. Responding to a question from the Board regarding the stormwater budget, Mr. Chavez advised sampling costs (formerly a contract with USGS / CoA) prior to the watershed-based permit, had been half a million dollars, and is now a fraction of that cost and AMAFCA gets more value for the money spent. The Board acknowledged that the Regional Permit, which was contentious at the start, had been remarkably successful. The Board asked that EPA be informed that without the Regional Permit, there is no incentive for partners to cooperate, other than the goodwill of the participating entity. Mr. Chavez also noted that from an efficiency standpoint, the program is successful as well and it is hoped that the cooperative nature would be maintained with the new permit.

The Board asked if anyone from EPA was present on the Zoom meeting. The Zoom participation list was referenced, and no names were recognizable as being from the EPA. The Board expressed disappointment that EPA was not present for this important subject. Mr. Chavez had advised that EPA was invited to attend the Board meeting either in person or virtually, which they declined due to limited funds for travel to meet in person and voiced no desire to attend virtually.

Responding to questions from the Board regarding other states having statewide permits. Mr. Chavez advised New Mexico is the last state with a watershed-based permit and that primacy is on the horizon. Responding to a question regarding when primacy can happen with NMED and when permits could be issued (from NMED), Mr. Chavez noted it is probably five to ten years

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 8

away. Responding to a question regarding the TAG and a USGS PFAS survey on the surface waters in the state, Mr. Chavez advised he thought the USGS and Bernalillo County are doing a study by the Alameda Bridge and installing GSI in that (single) location. The Board suggested that the TAG be contacted regarding that survey to see if it could help in the response to EPA regarding the permit.

16. AMAFCA Operations

a. Vegetation Management – Award of Contract for Vegetation Management in AMAFCA facilities

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, summarized information provided in the memo and answered questions from the Board.

b. AMAFCA Field Highlights

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, provided a report on various projects / events and Mr. Esqui Padilla, AMAFCA Engineering Technician, answered a question from the Board.

17. AMAFCA FY-2025 Budget

a. Surplus Property Report

Mr. Willie West, AMAFCA Real Estate Manager, summarized information provided in the memo and answered questions from the Board.

b. AMAFCA Equipment and Fleet Evaluation

Mr. Esqui Padilla, AMAFCA Engineering Technician, summarized information provided in the memo and answered questions from the Board.

c. FY-2025 Revenue Projections

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

d. Draft FY-2025 General Fund Budget

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

e. Draft FY-2025 Acquisitions & Savings Fund Budget

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

AMAFCA Regular Meeting Minutes

March 28, 2024

Page 9

f. Draft FY-2025 Construction Fund Budget

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

g. Draft FY-2025 Agency & Area-Wide Fund Budget

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

h. Draft FY-2025 Debt Service Fund Budget

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

i. Draft FY-2025 Fiduciary Fund Budget

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

18. Unfinished Business

None.

19. New Business

None.

20. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 12:01 p.m.

Orlando G. Martinez, Jr., Secretary – Treasurer, 4/25/2024

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.