



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

Chair Brown called the Board Meeting to order at 9:01 a.m., Thursday, April 25, 2024, at the Balloon Fiesta Event Center in Albuquerque, NM.

Directors present via Zoom and / or in person Chair Ronald D. Brown – at the Balloon Fiesta Event Center
Director Tim Eichenberg – at the Balloon Fiesta Event Center
Director Elizabeth Newlin Taylor – at the Balloon Fiesta Event Center
Director Bruce M. Thomson – at the Balloon Fiesta Event Center
Director Orlando G. Martinez, Jr. – at the Balloon Fiesta Event Center – at arrived 9:17 a.m.

Directors excused: None

Attorney present via Zoom and / or in person: William Zarr, Robles, Rael & Anaya – at the Balloon Fiesta Event Center

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 Eichenberg asked that Items **6.e. Trails Subdivision Drainage Master Plan Update – Authorization to Advertise for Request for Proposals** and **6.f. North and South Diversion Channel Surveys – Authorization to Advertise for Request for Proposals** be moved to the Regular Agenda.

Director Taylor made a motion to approve the April 25, 2024 Agenda, as amended. Director Thomson seconded the motion. The motion passed unanimously (4-0).

3. Meetings Scheduled

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

Board of Directors meetings for the months of May 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 as well as on the AMAFCA website. The location for the September Board of Directors

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meeting is tentatively scheduled at the Southern Sandoval County Arroyo Flood Control Authority (SSCAFCA) building in Rio Rancho, NM. More information to be provided closer to the meeting date.

4. Items from the Floor / Public Comments

No items from the floor or public comments were received.

5. Approval of Minutes

a. March 28, 2024

Director Taylor made a motion to approve the Minutes of March 28, 2024. Director Eichenberg seconded the motion, which passed unanimously (4-0).

6. Consent Agenda

Chair Brown recapped Agenda Items **6.a. through 6.d.** on the Consent Agenda. The items were shared on the TV 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:

- Albuquerque International Balloon Fiesta License – First Extension of License with City of Albuquerque;
- Bond Counsel Services – Award Contract to Modrall, Sperling, Roehl, Harris & Sisk, P.A.;
- Financial Advisor Services – Award Contract to RBC Capital Markets, LLC; and
- General Counsel Services – Award Contract to Robles, Rael & Anaya, P.C.

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

Director Orlando Martinez arrived at 9:17 a.m.

6.e. Trails Subdivision Drainage Master Plan Update – Authorization to Advertise for Request for Proposals

Mr. Jared Romero, AMAFCA Development Review Engineer, answered various questions noting the following: the update to the Drainage Model Plan and the Storm Water Management Model (SWMM) should have been made at the time by the developer as the plans were approved; upon reviewing the Trails Subdivision Drainage Master Plan by CoA and AMAFCA, it was noted that not all updates were done, and several subdivisions are now behind; AMAFCA is in discussions with CoA Hydrology regarding the Scope of the Update as well as the agreement with CoA that would spell out the responsibilities of each part for review at the July Board meeting and approval at the August Board meeting; the RFP and Scope would not be finalized until the fall 2024; estimated cost based on the current understanding of the Scope is approximately \$250,000.00; as the Scope is refined, a better estimate can be provided; CoA has not indicated they have any funds for the Update; funding will be defined as the agreement is drafted; AMAFCA hopes CoA will participate in the funding since CoA will be ultimately responsible for the update and management of that model and each update as the subdivisions come in; Hydraulic Engineering Center

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Hydraulic Modeling System (HEC-HMS) would be used to develop the hydrology for the subdivision/sub-basin, and the hydraulic analysis would be in SWMM; the drainage of the Trails is a surge system, and SWMM is the only appropriate model for that hydraulic analysis; AMAFCA staff's preference is not to wait for CoA participation in funding the cost share, based on the lack of focus in the last (and previous) CoA Capital Improvement Plan in drainage. With development pressure in the area, some pretty significant subdivisions are planned; AMAFCA would like to get ahead of the pending subdivisions; it would be good to have a Drainage Master Plan and Hydraulic Model that accurately represents the drainage of that area; the Trails will drain to the Boca Negra Dam (which is undersized). Mr. Troutman advised that if AMAFCA gets Board approval for the ad, Mr. Romero can use it during discussions and in the negotiations with CoA on the project. There was a brief discussion regarding why AMAFCA is taking on the project that is CoA's responsibility that CoA should be funding; and that AMAFCA staff would need to come before the Board again to approve the Request for Proposal.

Director Thomson made a motion to authorize advertisement of Request for Proposals for the Trails Subdivision Drainage Master Plan Update, subject to participation with the City of Albuquerque. Director Taylor seconded the motion, which passed (4-0). Director Martinez abstained because he was not present for the entire discussion.

6.f. North and South Diversion Channel Surveys – Authorization to Advertise for Request for Proposals

After a review of the memo, there were no questions or discussion on the item.

Director Eichenberg made a motion to authorize advertisement of Request for Proposals for the North and South Diversion Channel Topographic Survey project and authorize the Executive Director to negotiate a professional services contract with the selected consultant. Director Taylor seconded the motion. The motion passed unanimously (5-0).

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 issue with the sewer line has been resolved. The upper-level plumbing was redirected into the line that was installed for the lower-level restroom. The old clay line has been capped and abandoned. Framing and sheet rock has been completed on the lower level and the east side of the upper level. Paint and carpet are scheduled to be installed in the offices by the end of the week. Window installation is scheduled before the end of the week on both levels. The exit stairs are scheduled for installation soon. Staff will begin the move from the west side to the east side of the building next week. Next Tuesday, the public entrance of the building will move to the normal employee entrance. Construction work on the west side will begin the week following the move and is expected to last into October.

AHYMO Retirement: The Arid Lands Hydrology Model (AHYMO) was listed as sponsored by AMAFCA on the FEMA website. AMAFCA has not invested in AHYMO in quite some time, and

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the latest version release, S4, is only certified to run on Windows XP, Vista, and 7. These operating systems are no longer supported by Microsoft. AMAFCA funded a study to replicate AHYMO output results using HEC-HMS; this software is publicly available at no cost and is updated regularly by the U.S. Army Corps of Engineers. AMAFCA sent notification to the NFIP Coordinator at NM Department of Homeland Security and Emergency Management and FEMA indicating AMAFCA will no longer sponsor the software and has notified CoA and BernCo that AMAFCA will no longer accept AHYMO results. AMAFCA is planning to convert its drainage management plans from AHYMO to HEC-HMS in the future. All recent drainage management plans have utilized HEC-HMS.

Calabacillas GCS 3a1-3b1 Project: AMAFCA submitted for hazard mitigation grant money for the project. The State has continued to extend the submission deadlines, further delaying the project, the start of which has been delayed for a year. AMAFCA programmed money for the project, but this project is the only one in development that meets the requirements for the hazard mitigation grant funding when compared to other AMAFCA projects.

AMAFCA Staffing: Ms. Crystal Griego has accepted the position of Director of Administration. She has several years of experience at BernCo and is currently employed at Motorola. Interviews have been conducted for the Maintenance Worker position and an offer is expected to be made soon.

Health Care Benefits: Management staff attended an entity meeting with the CoA regarding Open Enrollment and the benefit changes that AMAFCA should expect. It was made clear that there would be a 3.5% increase in medical premiums and increases in premiums for other services. Additionally, there will be a change in provider for both medical and dental. A full detailed listing of the changes will be forthcoming. The Board suggested that AMAFCA shop around to see if there is a plan that would better meet the needs of AMAFCA.

Theft: AMAFCA was once again affected by theft. While the maintenance crew was working on the South Pino Arroyo, an individual drove up to the welding truck and proceeded to steal a significant number of tools. This occurred in daylight and on security cameras. The State Bar Association was kind enough to provide AMAFCA with a copy of the video.

b. Notification of On-Call Services Task Orders

Mr. Kevin Troutman, AMAFCA Executive Director, referred to the memo for task orders issued for the month. Responding to a question from the Board regarding a possible agreement with a company that flies drones, Mr. Troutman advised AMAFCA had one; however, the consultant never extended that agreement.

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. Ms. Zuniga advised that the new system is up and running and the reconciliation of Bank Accounts went well when closing out the month. The presentation included General Fund Budget to Actuals; Revenues; Expenditures; and Cash & Investments.

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Director Thomson made a motion that the Board accept the Financial Information. Director Taylor 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. Ms. Zuniga stressed it is time-consuming to load both the FY 2024 and FY 2025 budgets as well as the quarterly reports; however, due to the change in Budget Analysts at the State, AMAFCA needs to comply with the request to be in line with the Local Government Budget Management System (LGBMS).

9. AMAFCA FY-2025 Budget Approvals

a. Personnel and Salary Committee – Personnel and Salary Committee COLA Recommendation for FY 2025

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo and answered questions from the Board. There was a brief discussion regarding the Consumer Price Index and various calculations utilized (by the Federal Government). The Personnel and Salary Committee recommended approving a Cost-of-Living Adjustment (COLA) of five percent for AMAFCA employees.

Director Thomson made a motion to approve the Personnel Salary Committee COLA Recommendation. Director Taylor seconded the motion, which passed unanimously (5-0).

b. FY-2025 General Fund Budget for submittal to NM-DFA

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

Director Taylor made a motion to approve the FY-2025 General Fund Budget for submittal to the NM Department of Finance and Administration. Director Thomson seconded the motion, which passed unanimously (5-0).

c. FY-2025 Acquisitions & Savings Fund Budget for submittal to NM-DFA

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

Director Taylor made a motion to approve the FY-2025 Acquisitions & Savings Fund Budget for submittal to the NM Department of Finance and Administration. Director Thomson seconded the motion, which passed unanimously (5-0).

d. FY-2025 Construction Fund Budget for submittal to NM-DFA

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

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Director Taylor made a motion to approve the FY-2025 Construction Fund Budget for submittal to the NM Department of Finance and Administration. Director Thomson seconded the motion, which passed unanimously (5-0).

e. FY-2025 Agency & Area-Wide Fund Budget for submittal to NM-DFA

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

Director Thomson made a motion to approve the FY-2025 Agency and Area-Wide Fund Budget for submittal to the NM Department of Finance and Administration. Director Martinez seconded the motion, which passed unanimously (5-0).

f. FY-2025 Debt Service Fund Budget for submittal to NM-DFA

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

Director Taylor made a motion to approve the FY-2025 Debt Service Fund Budget for submittal to the NM Department of Finance and Administration. Director Thomson seconded the motion, which passed unanimously (5-0).

g. FY-2025 Fiduciary Fund Budget for submittal to NM-DFA

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

Director Taylor made a motion to approve the FY-2024 Fiduciary Fund Budgets for submittal to the NM Department of Finance and Administration. Director Thomson seconded the motion, which passed unanimously (5-0).

h. Resolution 2024-06, Budget Adoption for Fiscal Year 2025

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

Director Thomson made a motion that the Board approve and adopt Resolution 2024-06, Fiscal Year 2025 AMAFCA Budget, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

i. Resolution 2024-07 – Ad Valorem Tax Levy for Tax Year 2024, Applicable to General Operating Fund

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

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Director Taylor made a motion that the Board approve and adopt Resolution 2024-07, Ad Valorem Tax Levy for Tax Year 2024, Applicable to General Operating Fund. The motion authorized 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.

j. Resolution 2024-08 – Ad Valorem Tax Levy for Tax Year 2024, Applicable to Debt Service Fund

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

Director Eichenberg made a motion that the Board approve and adopt Resolution 2024-08, Ad Valorem Tax Levy for Tax Year 2024, Applicable to Debt Service Fund, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

10. AMAFCA Bond Program

a. Resolution 2024-09, 2024 Bond Election

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

Director Taylor made a motion that the Board approve and adopt Resolution 2024-09, 2024 Bond Election, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (5-0) on a roll call vote.

11. AMAFCA Inventory

a. Resolution 2024-10, Disposal of Inventory with a Resale Value Greater than \$5,000

Ms. Jessica Regensberg, AMAFCA GIS Manager, summarized information provided in the memo. Responding to a question on the dollar amounts listed in the memo, Mr. Troutman advised the information provided is how it was originally recorded.

Director Thomson made a motion that the Board approve and adopt Resolution 2024-10, Disposal of Inventory with Resale Value Greater than \$5,000.00, 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.

b. Disposal of Inventory with a Resale Value Less than \$5,000

Ms. Jessica Regensberg, AMAFCA GIS Manager, summarized information provided in the memo. Responding to a question regarding donating the computers, it was noted that the computers have to be erased of all information and programming. Regarding some old computers that might still work, AMAFCA's IT group will not support something not covered by warranty.

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Director Thomson made a motion that the Board authorize AMAFCA staff to remove items from Inventory. Director Martinez seconded the motion. The motion passed unanimously (5-0).

12. Legal

a. Status Report

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

13. AMAFCA Projects

a. Construction Report

Ms. Adrienne Martinez, AMAFCA Project Engineer, referenced the Construction Report. There were no questions.

14. FY 2025 Project Schedule

a. Draft Project Schedule

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, summarized information provided in the memo and answered questions from the Board. There are a number of graphical or editorial comments that will be addressed before the May Board meeting. Staff has coordinated the overall timing, considering existing obligations for projects currently in design or construction, cost share agreements, discussions with partner agencies for their capital project plans, and recurring projects assuming at least one general obligation bond sale of \$12.5M per fiscal year. Staff will present the final FY 2025 Project Schedule for adoption at the May Board meeting. The Project Schedule is sent via hardcopy to both State of New Mexico Legislative branches, local elected officials for City, County, State, as well as AMAFCA's partners (MRGCD, BernCo, CoA, etc.). The FY 2025 Project Schedule does not bind the Board or AMAFCA to any specific project. The Board will approve each project individually, as has been done in the past. The Project Schedule is intended as a planning guide and projects may be completed out of order, omitted, or new projects added as priorities change.

15. Stormwater Quality

a. Statewide MS4 Permit Update

Mr. Patrick J. Chavez, AMAFCA Storm Water Quality Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation covered the Environmental Protection Agency (EPA) announcement earlier this year that Middle Rio Grande (MRG) Watershed Based Permit (WBP) would not be renewed; a statewide MS4 will be issued for all MS4s in New Mexico; EPA stated at a stakeholder meeting that the draft Permit is coming in late 2024; Technical Advisory Group (TAG) met twice in April to prepare comments to meet the deadline of April 30th; AMAFCA plans to submit separate comments; covered permit text regarding Authorized Non-Stormwater Discharges and Illicit Discharges and Improper Disposal; New Mexico Environment Department (NMED) is developing a State Permitting Program; New Mexico relies on Clean Water Act to control discharge of pollutants into its surface

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waters; initial programmatic rollout in a few years with several milestones starting last summer; meeting to be held 4/25/2024 for state agencies to discuss this process; Technical Advisory Committee (TAC) formation in summer of 2024; Primacy and Statewide MS4 permit timelines to overlap and potentially affect each other; and the Projected Timeline for the path to Primacy. The addition of pollutants like PFAS to the required stormwater quality analyte list will increase sample collection and analysis costs for both AMAFCA as well as for the Compliance Monitoring Cooperative (CMC), of which AMAFCA is a member. Mr. Troutman noted his concern with costs regarding permit fees. The NMED has indicated AMAFCA will be invited to participate in the TAC.

16. AMAFCA Operations

a. **Physical Trash Removal – Award of Contract for Physical Trash and Debris Removal from Flood Control Facilities**

Mr. Esqui Padilla, AMAFCA Engineering Technician, summarized information provided in the memo. There were no questions.

Director Eichenberg made a motion that the Board award the Contract for the Physical Trash and Debris Removal from Flood Control Facilities 2024 to Black Forest Tree Services, in the amount of \$152,600.00, plus New Mexico Gross Receipts Tax. Director Thomson seconded the motion, which passed unanimously (5-0).

b. **Mechanical Trash Removal – Award of Contract for Mechanical Trash and Debris Removal from Flood Control Facilities**

Mr. Esqui Padilla, AMAFCA Engineering Technician, summarized information provided in the memo. Responding to questions on cost and inspections, Mr. Troutman advised that the cost is comparable to previous years and Southwest Sewer has been very responsive with all requests.

Director Thomson made a motion that the Board award the Contract for the Mechanical Trash and Debris Removal from Flood Control Facilities 2024 to Southwest Sewer Service, Inc., in the amount of \$118,125.00, plus New Mexico Gross Receipts Tax. Director Eichenberg seconded the motion, which passed unanimously (5-0).

c. **Vegetation Management – Award of Contract for Vegetation Management in AMAFCA Facilities**

Mr. Esqui Padilla, AMAFCA Engineering Technician, provided a verbal recap of the recent bid opening. Mr. Padilla advised there were numerous bids received; however, there was a lack of clarity regarding licensing requirements for chemical vegetation management. Staff is looking at the requirements and will readvertise and present the award to the Board in May.

d. **AMAFCA Field Highlights**

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, provided a report on various projects and events and answered questions from the Board.

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17. Executive Session (closed)

a. Purchase, Acquisition or Disposal of Real Property or Water Rights (§ 10-15-1(H)(8))

Chair Brown advised **Item 17.a.** was a Closed Session agenda item. The meeting was at the Balloon Fiesta Event Center with all Directors in attendance. Director Taylor 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 Purchase, Acquisition or Disposal of Real Property or Water Rights. Director Thomson seconded the motion, which passed unanimously (5-0) on a roll call vote. Messrs. Troutman and West, and Legal Counsel remained.

Chair Brown closed the meeting at 11:02 a.m. Chair Brown asked for a motion to re-open the meeting at 11:44 a.m. Director Thomson made a motion that the meeting be re-opened. Director Martinez seconded the motion, which passed unanimously (5-0) on a roll call vote. Chair Brown stated that no action was taken during the Closed Session and only information was discussed that pertained to the purchase, acquisition, or disposal Real Property.

18. Unfinished Business

Chair Brown advised Director Eichenberg was originally asked to serve on the Mid-Region Council of Governments (MRCoG) Board and the Executive Board. MRCoG wanted to appoint Director Brown as Vice Chair for the Executive Board. Director Eichenberg consented to the change. AMAFCA will have an additional voice at the table.

19. New Business

None.

20. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 11:46 a.m.

Orlando G. Martinez, Jr., Secretary – Treasurer, 5/23/2024

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.