



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**August 22, 2024**  
**Page 1**

**1. Call to Order and Roll Call**

Chair Brown called the Board Meeting to order at 9:01 a.m., Thursday, August 22, 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 - arrived at 9:09 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**

Directors Thomson, Taylor, and Eichenberg asked that the following items be removed from the Consent Agenda and moved to the Regular Agenda or be removed in its entirety: 6.a. Authorization to Advertise Request for Proposals for Real Estate Legal Counsel; 6.b. Agency and Area-Wide 2024 – Approval of the Professional Services Agreement with Wilson & Company; and 11.b. Approval of Resolution 2024-18, Disposal of Inventory with a Resale Value Greater than \$5,000 – removed from Agenda.

Director Eichenberg made a motion to approve the August 22, 2024 Agenda, as amended. Director Thomson seconded the motion. The motion passed unanimously (4-0).

**3. Meetings Scheduled**

- a. September 26, 2024, 9:00 a.m. – Regular Meeting – New Mexico Veterans’ Memorial**
- b. October 24, 2024, 9:00 a.m. – Regular Meeting – New Mexico Veterans’ Memorial**
- c. November 21, 2024, 9:00 a.m. – Regular Meeting – To be determined**

The meeting location for the September and October meetings will be at the New Mexico Veterans’ Memorial at 1100 Louisiana Blvd SE in Albuquerque.

## AMAFCA Regular Meeting Minutes

August 22, 2024

Page 2

### 4. Items from the Floor / Public Comments

No items from the floor or public comments were received.

### 5. Approval of Minutes

#### a. July 25, 2024

Director Taylor made a motion to approve the Minutes of July 25, 2024. Director Thomson seconded the motion, which passed (4-0).

### 6. Consent Agenda

Chair Brown recapped Agenda Items 6.c. through 6.e. on the Consent Agenda, which was shared on the TV 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:

- Las Ventanas Dam – Encroachment, Maintenance and Building Installation Agreement, EA 2024-02-002 with the City of Albuquerque (CoA), substantially as attached;
- South Diversion Channel near Sunport Blvd – Access Agreement with Bernalillo County, substantially as attached; and
- North Diversion Channel – Utility Agreement with Comcast of New Mexico, substantially as attached.

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

#### 6.a. Real Estate Legal Counsel – Advertise Request for Proposals, Chair to convene a Selection Advisory Committee, and authorize the Executive Director to negotiate with the offeror

Responding to a question from the Board, Mr. Willie West, AMAFCA Real Estate Manager, recapped AMAFCA's need to have separate Counsel for Real Estate matters. AMAFCA had obtained Counsel through an agreement with Moses, Farmer, Glenn, Gutierrez & Werntz, P.C. in the meantime in order to keep AMAFCA in line with State Procurement practices. He further stressed that the volume of need in the next six months will be increasing so the need to go out to Request for Proposal is justified.

Director Eichenberg made a motion to authorize advertisement of Request for Proposals for Real Estate Counsel Services, the Chair to convene a Selection Advisory Committee, and authorize the Executive Director to negotiate a professional services agreement. Director Taylor seconded the motion. The motion passed unanimously (4-0).

#### 6.b. Agency and Area-Wide 2025 – Professional Services Agreement for Design and Construction Management Services with Wilson & Company, substantially as attached

Responding to questions from the Board, Ms. Nicole Friedt, AMAFCA Director of Planning & Engineering, advised that the new contract will need to be in place soon in order to have a smooth transition when the other contract ends. The agreement has design work for approximately 15 different sites. She further stressed she had looked at the hour break down and design elements, and along with her past experience in consulting and design, found the amounts to be reasonable.

Director Thomson made a motion that the Board award the Professional Services Agreement for

## AMAFCA Regular Meeting Minutes

August 22, 2024

Page 3

Design and Construction Management Services to Wilson & Company. Director Eichenberg seconded the motion, which passed unanimously (4-0).

Director Martinez arrived at 9:09 a.m.

### 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:* After more than two weeks of waiting, the CoA inspector for the electrical rough-in finally arrived. The project passed inspection and now the interior insulation and remainder of the interior drywall is being installed and the backside waterproofing has been placed. The exterior of the new additions has been installed as well as the trusses and decking for the roof on those sections. The downspouts on the south side of the building have been modified to ensure that AMAFCA does not inundate the new ADA-compliant access.

*AMAFCA Staffing:* The Drainage Engineer position is currently advertised. Staff are conducting interviews with candidates.

*Paseo del Norte and 4th Street Regional Storm Drain Project:* The agreement has expired. No action had been taken on this project and no funds were expended. AMAFCA will be removing the funding obligation and applying those monies to future AMAFCA projects.

*Theft:* An individual climbed the power pole that provides power for the building the day before the new exterior lighting was to be on-line. He managed to cut one of the three lines into the building and set off the security cameras that provided notification to our security company. PNM was able to repair the line a few days later. There has been theft of protective boots from office clerical staff. An investigation is currently underway.

*Leased Property:* Lease termination notice has been given for the agricultural leases on the Rutherford and Herring properties. The lessee failed to remit the required payments and failed to maintain the properties per the conditions of the lease agreement. Staff plans to advertise leases for these properties later this year.

*Calabacillas GCS 3a1, 3b1 Project:* Federal Emergency Management Agency (FEMA) flood hazard maps identify the Calabacillas Arroyo as a floodway. Part of the grant application process requires AMAFCA to perform a hydraulic analysis of the arroyo at the project location to show that there will be no rise in the flood elevation with the construction of the project. It may be necessary to perform a hydraulic analysis of the arroyo from Swinburne Dam to the river to mitigate any rise that is a result of the project, past improvements, or changes in the topography. Staff will provide an update after the analysis is complete.

*Monsoon Update:* On Friday, August 9, 2024, Albuquerque Fire Rescue performed swift water rescues. Unfortunately, one fatality was recovered from the outfall on Monday, August 12, 2024. This was the third fatality of the year.

#### 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.

## AMAFCA Regular Meeting Minutes

August 22, 2024

Page 4

### 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. There were no questions. The presentation included Budget information for Fiscal Year 2025 such as General Fund Budget to Actual; Revenues; Expenditures; and Cash & Investments.

Director Thomson 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. Ms. Zuniga advised that AMAFCA has already started the audit process. AMAFCA has been assigned a new auditor; however, the same audit company will perform the Fiscal Year 2024 audit.

### 9. Legal

#### a. Status Report

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

### 10. Joint Projects

#### a. Zuni-Penn Pond Project Update

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, summarized information provided in the memo and answered questions from the Board. Part of the presentation included Current Status; 90% Design completed; need CoA Design Review and Construction committee approval; there is an executed Cost Share Agreement between AMAFCA and CoA; CoA is up to date on all payments; As-designed conditions and for the as-designed system does not perform as effectively as initially expected and a deviation from the initial deep pond/pump station design is recommended; model schematics and how they are to flow were viewed; pond depth versus storm drain peak discharge downstream; new design approach included road links to reflect bypass down the road; no artificial peak attenuation at nodes; inlets added in Pennsylvania; adds 30 cubic feet per second (cfs) into Zuni-Penn Pond; peak in Pennsylvania Storm Drain at Central is 43 cfs, analysis supports modifying from a 10-foot deep pond with a pump station to a shallower surge pond; with the Surge Pond Design Approach the preliminary cost estimate goes down to \$3.2 million from \$9.4 million, 3:1 concrete slope paving, 4 street inlets in Pennsylvania, 1 water quality outlet tower; significant decrease in anticipated future maintenance and operation costs; and the project will be finished with future plans.

#### b. Authorization to Advertise RFP for Zuni-Penn Pond Final Design and Construction Management Services

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, summarized information provided in the memo and answered a question from the Board. Part of the presentation included the items from the Scope; tentative construction award estimated August 2025; and tentative construction completion estimated Spring 2026.

## AMAFCA Regular Meeting Minutes

August 22, 2024

Page 5

Director Thomson made a motion to authorize advertisement of Request for Proposals for Professional Engineering Services for Zuni-Penn Pond Design and Construction Management Services and authorize the Executive Director to negotiate a professional services agreement with the selected consultant. Director Taylor seconded the motion. The motion passed unanimously (5-0).

### 11. AMAFCA Projects

#### a. **AMAFCA Office Renovations – Approval of Service Agreement for AMAFCA Office Furnishing and Related Services Project**

Ms. Crystal Griego, AMAFCA Director of Administration, summarized information provided in the memo. There were no questions.

Director Thomson made a motion that the Board award the Service Agreement for the AMAFCA Office Furnishings and Related Services Project to Albuquerque Office Systems, LLC, in the amount of \$108,114.21, plus New Mexico Gross Receipts Tax. Director Martinez seconded the motion, which passed unanimously (5-0).

#### b. **Approval of Resolution 2024-18, Disposal of Inventory with a Resale Value Greater than \$5000**

This item was removed from the agenda earlier in the meeting.

#### c. **Approval of the Disposal of Inventory with a Resale Value of \$5000 or Less**

Ms. Crystal Griego, AMAFCA Director of Administration, summarized information provided in the memo. Ms. Griego noted that each item on the list will be assessed passed on functionality. If there is something on the list for disposal that can be used it will be taken off the list. Responding to a question from the Board, Ms. Griego stated that a new list would be furnished to the Board in June 2025 when the new inventory is done. Responding to a question from the Board, Ms. Griego stressed the items being ordered will not change, the only change will be deletions from the list.

Director Taylor made a motion that the Board authorize AMAFCA staff to remove items from Inventory with a Resale Value of \$5000.00 or Less. Director Thomson seconded the motion. The motion passed unanimously (5-0).

#### d. **7-Bar Retail at Cottonwood Crossings – Turnkey Project Introduction**

Ms. Nicole Friedt, AMAFCA Planning and Engineering Director, summarized information provided in the memo and answered questions from the Board. Messrs. Derek Bohannon and Ron Bohannon with Tierra West were present. Part of the presentation included an aerial and access route review of the project; the project consists of retail spaces and 14 townhomes with drainage retention in the backyard; a grading and drainage plan had already been approved; and the only change would be how the water will be getting into the pond.

#### e. **Construction Report**

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

**AMAFCA Regular Meeting Minutes**

**August 22, 2024**

**Page 6**

**12. AMAFCA Field Highlights**

**a. Field Report**

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

**13. Executive Session (closed)**

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

Chair Brown advised Item **13.a.** was a Closed Session agenda item. The meeting was at the Balloon Fiesta Event Center with all five 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,*” ninth edition, 2024, to discuss Purchase, Acquisition or Disposal of Real Property or Water Rights (§ 10-15-1(H)(8)). Director Thomson seconded the motion, which passed unanimously (5-0) on a roll call vote. Messrs. Troutman and West as well as Mses. Friedt and Griego attended portions of the closed session. Legal Counsel was not in the closed session.

Chair Brown closed the meeting at 11:02 a.m. Chair Brown asked for a motion to re-open the meeting at 11:50 a.m. Director Taylor made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed unanimously (5-0) on a roll call vote. Director Thomson stated that no action was taken during the Closed Session and only information was discussed that pertained to the purchase, acquisition or disposal of Real Property or Water Rights.

**14. Real Estate**

**a. Action Item for Real Estate**

There was no action to be taken on this item.

**15. Unfinished Business**

None

**16. New Business**

None

**17. Adjourn**

There being no further business to come before the Board, Chair Brown adjourned the meeting at 11:50 a.m.

---

Orlando G. Martinez, Jr., Secretary – Treasurer, 9/26/2024

*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.*