



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
September 26, 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, September 26, 2024, at the New Mexico Veterans' Memorial in Albuquerque, NM.

Directors present via Zoom and / or in person Chair Ronald D. Brown – at the NM Veterans' Memorial
Director Tim Eichenberg – at the NM Veterans' Memorial
Director Orlando G. Martinez, Jr. – at the NM Veterans' Memorial
Director Elizabeth Newlin Taylor – at the NM Veterans' Memorial
Director Bruce M. Thomson – at the NM Veterans' Memorial

Directors excused: None

Attorney present via Zoom and / or in person: Marcus J. Rael, Jr., Robles, Rael & Anaya – at the NM Veterans' Memorial

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 September 26, 2024 Agenda. Director Taylor seconded the motion. The motion passed unanimously (5-0).

3. Meetings Scheduled

- a. October 24, 2024, 9:00 a.m. – Regular Meeting – NM Veterans' Memorial**
- b. November 21, 2024, 9:00 a.m. – Regular Meeting – Location to be determined**
- c. December 19, 2024, 9:00 a.m. – Regular Meeting & Board Holiday Luncheon**

The meeting location for the October meeting will be at the New Mexico Veterans' Memorial at 1100 Louisiana Blvd SE in Albuquerque. The November meeting location is still to be determined.

4. Items from the Floor / Public Comments

One public comment was received from Mr. James Hoffman. Mr. Kevin Troutman recapped information that was provided by Mr. Hoffman. Chair Brown provided Mr. Hoffman the opportunity to speak. Comments are part of the record for the meeting. Responding to the comments presented, Chair Brown noted the challenge of no infrastructure to transport water from the area to the pond area that AMAFCA has procured; that infrastructure is going to be dependent on the master infrastructure for water, sewer, drainage and roads to the area; AMAFCA is subservient to the other actions for any other kind of drainage improvements. Mr. Hoffman voiced more concerns. Chair Brown repeated his comments (referenced above) and advised AMAFCA cannot do that without a total development of the infrastructure of that network.

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Mr. Troutman introduced Mr. Paul Smith, former Executive Director of the Albuquerque International Balloon Fiesta (AIBF). Mr. Smith expressed his thanks to AMAFCA for all the help provided over the years, recognized the free use of the AMAFCA facility for AIBF, advised the propane area had been licensed over the last year, as well as the help with other balloon landing areas. Mr. Smith advised that AMAFCA, as a government agency, has always tried to say yes with any request that has been asked for. Mr. Smith introduced Ms. Julie Morgas Baca as the new AIBF Executive Director. Ms. Morgas Baca thanked AMAFCA for what had been done for AIBF in the past and acknowledged she was aware of AMAFCA. Responding to a question from the Board, Ms. Morgas Baca advised she would get with Mr. Troutman if there were anything needed from AMAFCA. The Board congratulated Mr. Smith on his retirement and Ms. Borgas Baca on her position with AIBF.

5. Approval of Minutes

a. August 22, 2024

Director Taylor made a motion to approve the Minutes of August 22, 2024. Director Eichenberg seconded the motion, which passed unanimously (5-0).

The Board took this time to share sentiments with Attorney Marcus Rael regarding the recent retirement of Attorney William Zarr. The Board noted that Attorney Zarr had been a pleasure to work with during his time as General Counsel for AMAFCA. The Board asked that Attorney Zarr be thanked for all his work and congratulated him on his retirement. Attorney Rael advised that he is excited to be back with AMAFCA, being one of his oldest clients, and he is looking forward to being back full time. The Board thanked Mr. Rael for coming back as General Counsel.

6. Consent Agenda

Chair Brown recapped Agenda Items 6.a. through 6.e. on the Consent Agenda. Director Eichenberg made a motion that the Board accept the items on the Consent Agenda. The motion approved the following:

- On-Call Oblique Aerial Photography Services – Third and Final Extension with Eagle’s Eye Photo;
- Ditch Safety Coordinator – Second Extension to include fee increase with Sunny505;
- Lot 12 of Block 17, Tract 2, Unit 2 of North Albuquerque Acres Subdivision – Quitclaim of Drainage Easement;
- Rutherford Property Agricultural Lease – Advertise for Bids; and
- Herring property Agricultural Lease – Advertise for Bids.

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 recently suffered a cyber attack which is impacting AMAFCA currently. Due to the shutdown of all IT programs on the network there would not be a PowerPoint presentation for the Board meeting.

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AMAFCA Office Modifications: Window installation on the new addition has been completed. The roofing material on the south and west additions was installed and the HVAC unit on the west addition has been mounted. Interior duct work is being installed. The interior framing in the new additions has been completed. Areas with drywall have been taped and textured. The new ADA-compliant ramp has been installed as well as curb and sidewalk along the front of the building. Staff will begin reoccupying the existing spaces at the end of the month. A phased approach will be used as spaces become available. Some currently occupied spaces will need to be turned back over to the contractor. Staff has been packing all remaining items in preparation for the assorted moves.

AMAFCA staffing: Both the Development Review Engineer and Staff Engineer positions are currently advertised.

Procurement Review: Staff undertook a third-party review of procurements performed in the last year. No major issues have been found but there are areas for improvement. Staff will be implementing new procedures to ensure that AMAFCA remains compliant. In addition, these new procedures will protect AMAFCA when entering into contracts with outside vendors. Some of these changes are establishing a standard set of terms and conditions for agreements, standardizing filing and tracking of expenditures, and establishing a standardized workflow for all procurements.

Personnel Manual: The manual is nearing completion and will be ready to start the review process soon. Substantive editorial reviewers are anticipated to include the Personnel and Salary Committee, AMAFCA HR Consultant, and AMAFCA Legal, while all staff will have the opportunity to review and ask questions prior to finalization. Staff intends to have the manual ready for approval at the December meeting.

Training: All staff attended a training course on Effective Communication. Supervisory staff started receiving management training. Several members of the maintenance crew attended OSHA Competent Person training to enhance AMAFCA's ability to recognize workplace hazards.

Legal: AMAFCA had been named in an injured person case. The injured person was hurt on a channel, but not an AMAFCA channel. The case against AMAFCA has been dismissed.

Travel: Mr. Troutman will be traveling with family to Colorado, October 9-13. Ms. Paula Dodge-Kwan will be the acting Executive Engineer in his absence.

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.

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 Budget information for Fiscal Year 2025 such as General Fund Budget to Actual; Revenues; Expenditures; and Cash & Investments.

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

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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 anticipates a delay in the audit process due to the deadlines that have been missed because of IT problems. Responding to a question from the Board, Ms. Zuniga stressed she was confident the report will be done on time.

9. Legal

a. Status Report

Attorney Marcus J. Rael, Jr. summarized information provided in the memo and answered questions from the Board.

10. Joint Projects

a. Briefing on Anticipated Changes to the National Flood Insurance Program

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, and Mr. Jared Romero, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included Risk Rating 2.0 and its consequences to the Flood Insurance Rate Maps (FIRMs); insurance had previously been calculated based on the FIRMs; there has been a noted separation of insurance from floodplain mapping leading to unknowns about map updates and their necessity; current floodplain mapping (if a property is within a 1% annual chance (100-year) flood zone) only determines the federal requirement to purchase flood insurance for a federally backed loan; recommended (re)definition of the term “Floodplain”; current State of Practice & Future Regulations; updated provision of ASCE Standard 7-22 Minimum Design Loads and Associated Criteria for Buildings and Other Structures as it relates to flood risk; National Oceanic and Atmospheric Administration Atlas 15 and the national horizontal / vertical Datum update; update to Probable Maximum Precipitation estimates by 2030; North American Terrestrial Reference Frame of 2022 and North American-Pacific Geopotential Datum of 2022 to replace North American Datum of 1983; and a beta test rollout is planned in 2025 with 2026 for full adoption; and these changes will have impacts to AMAFCA’s design of flood control facilities and on the established Base Flood Elevations and Federal Emergency Management Agency FIRMs.

11. AMAFCA Projects

a. Planning and Engineering Quarterly Update

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, summarized information provided in the memo and walked the Board through upcoming tasks within the ConceptBoard system.

b. Construction Report

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

12. Stormwater Quality

a. General Review of Minimum Control Measures

Mr. Patrick J. Chavez, AMAFCA Stormwater Quality Engineer, summarized information provided in the memo and answered a question from the Board. Part of the presentation included Education & Outreach; Public Involvement & Participation; Special Conditions; Construction General Permit; Post Construction Permit; and Storm Water Pollution Prevention Plans; and Good Housekeeping.

b. 2024 StormCon - Briefing on Conference

Mr. Patrick J. Chavez, AMAFCA Stormwater Quality Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included recap of the exhibit hall; fieldtrip; and AMAFCA may present at StormCon 2025.

13. AMAFCA Field Highlights

a. Field Report

Mr. Esqui Padilla, Engineering Technician, provided a brief recap of happenings during the month and introduced staff members from the maintenance department who were present at the meeting.

14. Executive Session (closed)

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

Chair Brown advised Item **14.a.** was a Closed Session agenda item. The meeting was at the New Mexico Veterans' Memorial with all five Directors in attendance. Director Thomson 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 Eichenberg seconded the motion, which passed unanimously (5-0) on a roll call vote. Messrs. Troutman and West as well as Ms. Griego were present in the closed session. Legal Counsel was not in the closed session.

Chair Brown closed the meeting at 11:09 a.m. Chair Brown asked for a motion to re-open the meeting at 11:44 a.m. Director Taylor made a motion that the meeting be re-opened. Director Eichenberg 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 of Real Property or Water Rights.

Attorney Rael left the meeting at 11:10 a.m.

15. Real Estate

a. Approval of Resolution 2024-19 – Disposal of Property Associated with Old Ouray Road

The item was not discussed and was deferred to another time.

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16. Unfinished Business

None

17. New Business

None

18. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 11:45 a.m.

Orlando G. Martinez, Jr., Secretary – Treasurer, 10/24/2024

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.