



**Albuquerque Metropolitan Arroyo Flood Control Authority**  
**Regular Meeting Minutes**  
**October 24, 2024**  
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**1. Call to Order and Roll Call**

Chair Brown called the Board Meeting to order at 9:03 a.m., Thursday, October 24, 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 Taylor made a motion to approve the October 24, 2024 Agenda. Director Thomson seconded the motion. The motion passed unanimously (5-0).

**3. Meetings Scheduled**

- a. November 21, 2024, 9:00 a.m. – Regular Meeting – Location to be determined**
- b. December 19, 2024, 9:00 a.m. – Regular Meeting & Board Holiday Luncheon**
- c. January 23, 2024, 9:00 a.m. – Regular Meeting**

The meeting location for the November meeting is still to be determined. November 21, 2024 was confirmed as the meeting date. Before a location announcement is advertised, AMAFCA will need a temporary Certificate of Occupancy in order to host the meeting at the AMAFCA Building. More information to follow.

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

No items from the floor or public comments were received. Mr. Kevin Troutman introduced Mr. Paul Olson, Engineering Division Manager with the City of Albuquerque (CoA). Mr. Olson provided a brief recap on his employment history. The Board welcomed Mr. Olson to the meeting.

**5. Approval of Minutes**

- a. September 26, 2024**

Director Taylor made a motion to approve the Minutes of September 26, 2024. Director Thomson seconded the motion, which passed unanimously (5-0).

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### 6. Consent Agenda

Director Thomson recapped Agenda Items 6.a. through 6.c. on the Consent Agenda, which was shared on the TV for all participants to view. Director Thomson made a motion that the Board accept the items on the Consent Agenda. The motion approved the following:

- On-Call Geotechnical and Materials Testing Services – Third and Final Extension with WSP USA, Inc. and YeDoma Consultants, LLC;
- On-Call Land Survey Services – Third and Final Extension with Bohannon Huston, Inc., Cobb Fendley & Associates, Souder Miller & Associates, and Wilson & Company; and
- General Counsel Services – Advertise Request for Proposals.

Director Brown announced that advertisement for Agency and Area-Wide Bids did not make it on the agenda. Mr. Troutman briefed the Board on the need. Chair Brown advised he had given Mr. Troutman permission to advertise since it was not really an action item.

Director Eichenberg 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 Cybersecurity:** On September 20, 2024, AMAFCA's IT company noticed anomalous behavior with the AMAFCA servers. There had been a ransomware attack, corrupted files were found, and a full purge was done. No ransom was paid. The decision was also made to initiate the plan to migrate to the new network cabling and internet connection. There was a delay in restoration of services; however, the network was clean and able to bring the systems back online and provide a locally managed firewall to strengthen security. The Board commended AMAFCA staff for working around the issues and getting everything back up and running. Mr. Troutman thanked Ms. Jessica Regensberg, AMAFCA GIS Manager, for all of her hard work on the various components involved with getting everything up and functioning.

**AMAFCA Office Modifications:** The building is finally starting to look like a building. Paint, texture, and epoxy on floors has been done. Furniture has been installed in the completed spaces. The next major reshuffling for staff moves into the recently completed space would occur around October 31st. November will bring paving of the parking lot and a new gate to enter into the AMAFCA yard. The final phase of the project will be to bring the stairwell up to compliance.

**AMAFCA Phone System:** This new phone system is cloud-based and will integrate with the AMAFCA cell phones. This will allow staff to have access to the phone system regardless of their location.

**Sandia Pueblo:** AMAFCA staff met with The Honorable Felix Chaves, Governor of Sandia Pueblo. Governor Chaves had requested the meeting. He expressed his displeasure regarding the North Diversion Channel outfall on Pueblo property and the trash and debris remaining from the June 29 storm. That particular storm was the third largest storm on the North Diversion Channel. AMAFCA staff had already completed the removal of trash from the storm. Pueblo staff had not returned to the site post storm and was unaware that the trash had already been removed. Only

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what is considered as natural forest litter (old stumps, leaves, etc.) remain in the bosque that had been moved during the storm. The Pueblo requested that a portion of the easement fence be removed where the river meander has eroded the bank for safety. AMAFCA will have that completed soon. There was a brief discussion on where the water quality sonde is located at the Outfall, the catwalk in the area, and the two arroyos coming out of the Pueblo adjacent to the Sandias and their flow potential.

Presentation to New Mexico Water Committee: Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, and Mr. Jared Romero, AMAFCA Development Engineer, will be the guest presenters at the New Mexico Water Committee November webinar. They will be presenting the changes to FEMA and flood maps that was presented to the Board in September 2024.

Middle Rio Grande Flood Control Breakfast: The annual breakfast will be held Tuesday, December 3rd. The Board should let Ms. Crystal Griego, AMAFCA Director of Administration, know if they would like to attend by November 18th.

### **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 Taylor 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 the deadline to get the audit to the Office of the State Auditor is December 15. If the audit team thinks there will be an issue completing in time, a letter to the State Auditor will be sent. Policies are being reviewed, the Cash & Investment Policy is upcoming, and others will be presented to the Board in the future. There was a brief discussion regarding the AMAFCA Bond committee and the officers and others who volunteer their time to the committee.

### **c. Cash & Investment Policy – Review of Draft Resolution**

Ms. Maria Zuniga, AMAFCA Director of Finance & Procurement, advised the policy was drafted per a request from the Auditor during the last annual audit. The policy will be provided to the auditors and again to the Finance Committee for input. It is anticipated the Resolution will come back to the Board in November as a draft and be finalized in December. Attorney Marcus Rael, AMAFCA General Counsel, will look at the Resolution as well to consider statutory changes.

**9. Legal**

**a. Status Report**

Attorney Marcus J. Rael, Jr. referred the Board to the memo. There were no questions from the Board.

**10. Joint Projects**

**a. City of Albuquerque Design Review and Construction Section Requirements – Introduction and Draft Memorandum of Understanding**

Mr. Jared Romero, AMAFCA Drainage Engineer, summarized information provided in the memo and answered questions from the Board. Part of the presentation included the public agency review of private development plans where infrastructure (road, utilities, infrastructure) will be turned over for public maintenance after construction; CoA and AMAFCA entered into a Memorandum of Understanding (MoU) for Financial Guarantees for Infrastructure in 2013; that MoU did not identify the process for AMAFCA-led projects; AMAFCA would not be required to financially guarantee the work through CoA; CoA would financially guarantee infrastructure through an Infrastructure List and AMAFCA would sign off; AMAFCA already has a fully developed process for procuring and bonding public construction projects; AMAFCA will use its own inspectors for inspections; CoA would waive all associated review fees for an AMAFCA project submitted for DRC review; the fee associated with CoA is not known and the last project done between both CoA and AMAFCA found that the fee did not exist so no fees were assessed; with the help of Mr. Paul Olson from CoA, Mr. Romero recapped the CoA's DRC process; and the final MoU between AMAFCA and CoA will be presented to the Board in November.

**11. AMAFCA Projects**

**a. Construction Report**

Ms. Adrienne Martinez, AMAFCA Project Engineer, recapped items on the Construction Report. Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, advised information had not made it to the PowerPoint. She stressed that the building is progressing and should be completed by the end of the Contract, which is December 9, 2024. There were no questions.

**12. Stormwater Quality**

**a. Review of Public Education, Outreach, Involvement, and Participation Minimum Control Measures**

Mr. Patrick J. Chavez, AMAFCA Stormwater Quality Engineer, summarized information provided in the memo. Mr. Chavez advised more Minimum Control Measures would be presented in the future. Part of the presentation included Public Education and Outreach, Public Involvement and Participation, and their audiences. *Keep Litter Out of My Territory - Breaking Bad Habits, 2024* ad from BernCo was referenced as well as an example of the Vanderbilt University Runoff Event. There were no questions.

**13. AMAFCA Field Highlights**

**a. Field Report**

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, walked the Board through upcoming tasks within the ConceptBoard system. Responding to a request from the Board to get a copy of

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the ConceptBoard information in their mailout, Ms. Dodge-Kwan agreed to send it in the future. Ms. Dodge-Kwan provided a report on various projects / events from the field and answered questions from the Board.

Director Eichenberg left the meeting at 10:54 a.m.

### **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 four 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 (4-0) on a roll call vote. The Board asked who would be present in the Executive Session. Mr. Troutman responded with the staff members to be present: Messrs. Troutman and West as well as Ms. Griego. The attorney working the Real Estate contract was not present. The Board asked that Attorney Rael, AMAFCA's General Counsel, be in the closed session.

Chair Brown closed the meeting at 10:54 a.m. Chair Brown asked for a motion to re-open the meeting at 11:58 a.m. Director Taylor made a motion that the meeting be re-opened. Director Thomson seconded the motion, which passed unanimously (4-0) 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.

### **15. Real Estate**

No discussions took place on the Real Estate items. Only motions were made.

#### **a. Approval of Resolution 2024-20 – Disposal of Property Associated with Old Ouray Road**

Director Thomson made a motion that the Board approve and adopt Resolution 2024-20, Disposal of Property Associated with Old Ouray Road, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (4-0) on a roll call vote.

#### **b. Approval of Resolution 2024-21 – Acquisition of Property Associated with La Presa Pond**

Director Thomson made a motion that the Board approve and adopt Resolution 2024-21, Acquisition of Property Associated with La Presa Pond, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (4-0) on a roll call vote.

#### **c. Approval of Resolution 2024-22 – Acquisition of Property Associated with Molten Pond – East Parcel**

Director Thomson made a motion that the Board approve and adopt Resolution 2024-22, Acquisition of Property Associated with Molten Pond – East Parcel, and authorize the Chair and

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Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (4-0) on a roll call vote.

**d. Approval of Resolution 2024-23 – Acquisition of Property Associated with Molten Pond – West Parcel**

Director Thomson made a motion that the Board approve and adopt Resolution 2024-23, Acquisition of Property Associated with Molten Pond – West Parcel, and authorize the Chair and Secretary-Treasurer to execute the same on behalf of AMAFCA. Director Martinez seconded the motion. The motion passed unanimously (4-0) on a roll call vote.

**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 12:02 p.m.

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Orlando G. Martinez, Jr., Secretary – Treasurer, 11/21/2024

*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.*