



Albuquerque Metropolitan Arroyo Flood Control Authority
Regular Meeting Minutes
January 23, 2025
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1. Call to Order and Roll Call

Chair Brown called the Board Meeting to order at 9:00 a.m., Thursday, January 23, 2025, at the AMAFCA office in Albuquerque, NM.

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

Directors excused: None

Attorney present via Zoom Marcus J. Rael, Jr., Robles, Rael & Anaya – at the AMAFCA office
and / or in person:

Others present via Zoom Kevin Troutman, Executive Director
and / or in person: Staff
 Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

There were no changes to the Agenda. Mr. Kevin Troutman, AMAFCA Executive Director, referred the Board to their folder, which held a handout for Item 14 from Ms. Vanessa Alarid with Alarid Consulting and a revised document for Item 20 from Mr. Willie West, AMAFCA Real Estate Manager.

Director Taylor made a motion to approve the January 23, 2025 Agenda. Director Martinez seconded the motion. The motion passed unanimously (5-0).

3. Meetings Scheduled

- a. **February 27, 2025, 7:45 a.m. – Regular Meeting**
- b. **March 27, 2025, 9:00 a.m. – Regular Meeting**
- c. **April 24, 2025, 9:00 a.m. – Regular Meeting**

There were no changes to the above dates.

4. Election of Officers

- a. **Chair**
- b. **Vice Chair**
- c. **Secretary-Treasurer**

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d. Assistant Secretary-Treasurer

Chair Thomson nominated the four-person slate as follows: Director Brown to serve as Chair, Director Taylor as Vice Chair, Director Martinez, as Secretary-Treasurer, and Director Eichenberg as Assistant Secretary-Treasurer. Director Taylor seconded the motion. The motion passed unanimously (5-0).

5. Appointment to Boards and Committees

- a. MRCOG Executive Board**
- b. MRCOG Board of Directors**
- c. Middle Rio Grande Water Resources Board**
- d. Metropolitan Transportation Board**
- e. Personnel and Salary Committee**
- f. Strategic Planning Committee**
- g. Financial Committee**
- h. Real Estate Committee**

This item was deferred to the February Board meeting. Chair Brown will get with each Director to discuss positions.

6. Items from the Floor / Public Comments

No items from the floor or public comments were received.

7. Approval of Resolution 2025-01 Open Meeting Standards

Mr. Kevin Troutman, AMAFCA Executive Director, summarized information provided in the memo. There was a brief discussion regarding listing the AMAFCA website within the Resolution since it refers to the notice being posted on the Internet. It was agreed, that while it was referenced once, it would be beneficial to refer to the amafca.org website in additional terms of the Resolution.

Director Thomson made a motion that the Board approve and adopt Resolution 2025-01, Open Meeting Standards, as amended, 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.

8. Approval of Minutes

- a. December 19, 2024**

Director Taylor made a motion to approve the Minutes of December 19, 2024. Director Thomson seconded the motion, which passed unanimously (5-0).

9. Executive Director's Report

- a. Notification of Past Month's Activities**

AMAFCA Office Modifications: The contractor placed a friction coating on the epoxy floors to help mitigate slip / fall potential when the floor is wet. The frame for the new stairway had been installed, associated drywall work is complete, and the steps on the stairway are being installed,

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all of which has led to dust throughout. Landscaping and punch list items should be the only work remaining with all other evasive work done.

Theft: Within the space of one week, AMAFCA suffered two incidents of theft. On January 6, 2025, two people entered the AMAFCA yard and took several items from the parked vehicles. They were able to exit the yard before AMAFCA staff began to arrive and before the arrival of the security response. On January 12, 2025, someone entered the Solid Waste yard where AMAFCA stored some of the equipment during the building construction. The transport and attached low boy trailer were stolen and rammed through the gate to exit. They then proceeded to drive all the way up through Jemez Springs and over to the north side of the Jemez Mountains and stashed the truck deep within the forest. While the thief was able to disable the primary GPS unit, a secondary unit provided AMAFCA with a location and the San Juan County Sheriff's Office was able to secure the vehicle. Upon notification, AMAFCA personnel went up to retrieve the equipment. Several trees were cut down in order to extract the vehicle while working in the cold, dark, snow-coated surroundings. The vehicle is back in the AMAFCA yard with minimal damage. Staff will have the truck and trailer evaluated before it is put back in service. The San Juan County Sheriff's Office did indicate they may have a suspect, but the investigation is ongoing. There was a brief discussion on law enforcement jurisdictions, if fingerprints were taken, and the estimated replacement costs of the equipment.

DMP Hydrology: AMAFCA is starting to see issues with the way AMAFCA's drainage management plans (DMPs) are structured and how development is working around it. The main issue stems from identifying conceptual facilities on properties not controlled by government agencies. Most recently, two issues arose on the same day. The land sold to the Federal Government for the National Cemetery was the proposed site for a regional pond identified in the West I-40 Uplands DMP. AMAFCA was informed that the pond was not compatible with the proposed uses and was not to be installed. Local government has no authority over federal lands and therefore cannot place any requirements on the proposed development. A few hours later, a meeting addressed a proposed subdivision. Based on the analysis, a pond that was removed from a previous version of the DMP is actually needed. The DMPs are identifying locations for facilities that do not have dedicated lands associated with them. This is compounded when nearby development does not follow the expected drainage requirements. The solution that staff is currently contemplating would be to identify a maximum flow rate at specific locations within the drainage area. This would allow development of multiple options to achieve that flow rate to protect downstream development and infrastructure.

There was a brief discussion regarding the DMPs and how it would not matter where the flow comes in since the intent is to limit the flow's cubic feet per second; a regional drainage structure would have to be handled by a public entity for the drainage facility; some partners still allow for backyard drainage; there are a lot of DMPs with a mix of developed and undeveloped areas; most of AMAFCA's DMPs are more than 10 years old with Boca Negra being the exception; whatever the criteria was to create the facility will be the requirement to follow the expected drainage requirements for the DMP; AMAFCA had reported to the Board that AMAFCA anticipates looking at every DMP; most DMPs are in Arid-Lands Hydrologic Model (AHYMO) and will require that all hydrologic analysis be conducted with the Hydraulic Engineering Center's Hydrologic Modeling Software (HEC-HMS); AMAFCA has no control over federal facilities including inspections on those facilities; and the New Mexico Construction Industries Division has to comply with the ordinances of the local entity.

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Agency and Area-Wide Flood Control Maintenance XII: AMAFCA advertised for bids for a second time starting December 15, 2024. Unfortunately, no bids were received by the deadline on January 16, 2025. The design engineer will be reaching out to various companies inquiring as to why they did not submit a bid. After a brief discussion among AMAFCA, City of Albuquerque, and Wilson & Company staff, AMAFCA will be targeting a March opening if the issue relates to possible increases in unit costs. If the issue is labor supply, AMAFCA may not have a solution.

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 month. There were no questions.

10. Financial Matters

a. Financial Matters – Acceptance of Financial Information

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 Thomson seconded the motion. The motion passed unanimously (5-0).

b. Other Matters

Ms. Laurel Johnson, AMAFCA Accounting Manager, summarized information provided in the memo and walked the Board through upcoming tasks within the ConceptBoard system.

c. Authorization to Advertise for Auditing Services

Ms. Laurel Johnson, AMAFCA Accounting Manager, summarized information provided in the memo and answered questions from the Board. Ms. Johnson advised the Request for Proposal (RFP) gave AMAFCA the option to renew annually for two additional years. The Fiscal Year 24 Audit was the second renewal on the allowable term for the audit contract. Ms. Johnson walked the Board through the time limits imposed by the RFP and the Office of the State Auditor.

Director Thomson made a motion to authorize the Chief Procurement Officer to advertise for Auditing Services, the Chair to convene a Selection Advisory Committee, and the Executive Director to negotiate with the offeror selected by the Selection Advisory Committee. Director Taylor seconded the motion. The motion passed unanimously (5-0).

11. Series 2025 Bond Sale

a. Bond Sale Presentation by RBC Capital Markets

Mr. Erik Harrigan, Managing Director with RBC Capital Markets, LLC thanked the Board, answered questions from the Board, and referenced his presentation from the previous month. Mr. Harrigan advised the closing date from the Bond Sale would be March 20, 2025; anticipated a 3 to 3 1/4 percent interest rate; it is not anticipated that the federal government will cut interest rates; and veteran exemption(s) were covered.

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b. Approval of Resolution 2025-02, Notice of Bond Sale

Mr. Harrigan, covered components of the Resolution, noted there were no substantive changes, and answered questions regarding arbitrage.

Director Taylor made a motion that the Board approve, generally as presented, and adopt Resolution 2025-02, Notice of Bond Sale, 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.

12. AMAFCA Inventory

a. Approval of Resolution 2025-03, Disposal of Inventory

Ms. Crystal Griego, AMAFCA Director of Administration, summarized information provided in the memo, advised it was substantially as attached, and answered questions from the Board. Responding to a question from the Board, Mr. Esqui Padilla, Engineering Technician, advised it would be more worthwhile for AMAFCA to auction off the items as opposed to donating to another government entity and covered the anticipated funds received, should the equipment come up for auction. Responding to a question from the Board regarding a previous report that referenced a staff member who caused damage to a vehicle, Mr. Troutman advised wording on expenditures will be evaluated.

Director Thomson made a motion that the Board approve and adopt Resolution 2025-03, Disposal of Inventory, 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.

13. Legal

a. Status Report

Attorney Marcus J. Rael, Jr. referred the Board to the memo. Attorney Rael and Ms. Crystal Griego answered questions from the Board regarding issues with a current IT contract. The Board encouraged AMAFCA to keep the current IT provider.

14. Legislative Liaison

a. Briefing Before the 2025 Legislative Session

Ms. Vanessa Alarid, along with Ms. Skye Devore, of Alarid Consulting answered questions from the Board and covered items such as: Over 200 bills are being introduced including those being watched for AMAFCA; the State of the State took place with Water, Crime, and Behavioral Health on the Governor's agenda; the AMAFCA Bill to increase debt had been identified to be carried by Senator Nicole Tobiason; Senator Tobiason is interested in AMAFCA's Capital Outlay; her district covers North Albuquerque Acres, and her constituents are concerned with flood control. Representative Cynthia Borrego may also sponsor the debt increase Bill. Ms. Devore walked the Board through the spreadsheet in their Board folder. Two water pollution bills, Senate Bills (SB) 21 and 22, are coming up and are sponsored by Senator Peter Wirth. Responding to a question from the Board regarding AMAFCA's stance on SB 21 and 22, Mr. Troutman advised AMAFCA

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does not know what stance to take at this time due to all the unknowns; Mr. Patrick Chavez, AMAFCA Storm Water Quality Engineer, will review the Bills; and there is a concern with fees which can be very burdensome for AMAFCA. Ms. Devore continued the presentation noting that there will be a rush to get the priority bills through; there needs to be discussions with all three committees. Ms. Alarid noted that a new PERA Return to Work Program was not referenced in the spreadsheet; only 16 people statewide were on the previous program; and the new Return to Work Program would be open to all levels and agencies in State government. Responding to a question on Capital Outlay, Ms. Alarid advised there will be about \$4M for each Senator and \$2.5M for each Representative. The Board thanked Ms. Alarid and Devore for their spreadsheet, noting it was very helpful.

15. AMAFCA Projects

a. Planning and Engineering Quarterly Update

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, walked the Board through upcoming tasks within the ConceptBoard system and answered questions. Director Thomson and Chair Brown asked that they be notified of the time and date for the Zuni Penn Pond public meeting. The Library may be utilized if it has the required meeting space.

b. Not Used

Nothing presented / discussed.

c. Not Used

Nothing presented / discussed.

d. Construction Report

Ms. Nicole Friedt, AMAFCA Director of Planning and Engineering, recapped the Construction Report and answered a question from the Board.

16. AMAFCA Operations

a. January Update

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, walked the Board through upcoming tasks within the ConceptBoard system and answered questions from the Board. Ms. Dodge-Kwan advised AMAFCA is looking to utilize a member of the crew for the Vegetation Management Program. The crew member already has the required licensure and will receive a change in job title. The Board noted that AMAFCA is probably in a better position to operate the program.

17. Storm Water Quality

a. On-Call Storm Water Quality / Environmental Engineering Services – Approval of Third and Final Extensions.

Ms. Paula Dodge-Kwan, AMAFCA Director of Operations, summarized information provided in the memo. Responding to a question from the Board on why some companies elected not to extend, Mr. Troutman advised one company was based out of State with the local staff relocating and the other company was closing their office.

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Director Thomson made a motion to approve the third and final extensions to the AMAFCA On-Call Storm Water Quality / Environmental Engineering Services Agreements with Bohannon Huston, Inc. and Tetra Tech, Inc. Director Taylor seconded the motion. The motion passed unanimously (5-0).

18. AMAFCA Field Highlights

a. Field Report

Mr. Esqui Padilla, Engineering Technician, provided a report on various projects and events. Both Mr. Padilla and Ms. Dodge-Kwan answered various questions from the Board.

Attorney Rael left the meeting at 11:07 a.m.

19. Executive Session (closed)

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

Chair Brown advised Item **19.a.** was a Closed Session agenda item. The meeting was at the AMAFCA office 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, Ms. Griego, and Ms. Kathleen Ahghar, Attorney for Real Estate Counsel, remained.

Chair Brown closed the meeting at 11:07 a.m. Chair Brown asked for a motion to re-open the meeting at 11:51 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. Chair Brown stated that no action was taken during the Closed Session and only Real Estate matters were discussed.

20. Real Estate

a. Approval of Resolution 2025-04, Authorization to Proceed with Disposal of Property Associated with the Sacate Blanco Channel

Mr. Willie West, AMAFCA Real Estate Manager, answered a question from the Board.

Director Eichenberg made a motion that the Board approve and adopt Resolution 2025-04, Authorization to Proceed with Disposal of Property Associated with the Sacate Blanco Channel 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.

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b. Approval of Herring Agricultural Lease for 2025-2030

Mr. Willie West, AMAFCA Real Estate Manager, advised the lease is for five years. The Campaign Contribution Disclosure Form was referenced. Director Eichenberg noted, for the record, the bidder had filled in and signed the form on the top set of lines as opposed to the bottom lines. The form clearly noted that no contributions were made so the form could be accepted.

Director Eichenberg made a motion to authorize the Executive Director to execute a lease with Juan Jojola for a period of five years to lease the Herring Property. Director Martinez seconded the motion. The motion passed unanimously (5-0).

21. Unfinished Business

None

22. New Business

None

23. Adjourn

There being no further business to come before the Board, Chair Brown adjourned the meeting at 11:55 a.m.

Orlando G. Martinez, Jr., Secretary – Treasurer, 2/27/2025

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.