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Arroyo Flood Control Authority
Regular Meeting Minutes
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1. Call to Order and Roll Call

Chair Saiers called the Regular Board Meeting to order at 10:01 a.m. Thursday, October 28, 2010. Roll was noted as follows:

Directors present: Chair Janet Saiers
 Director Danny Hernandez
 Director Ronald D. Brown (arrived at 10:23 a.m.)
 Director Tim Eichenberg
 Director Daniel Lyon

Director excused: None

Others present: Jerry M. Lovato, P.E., Executive Engineer
 Attorney Marcus Rael, Jr.
 Staff
 Other attendees on file at AMAFCA

A quorum was present.

2. Approval of Agenda

Mr. Lovato noted that there were handouts on agenda item 6d (a revised forecast), and additional information on agenda items 7a, and 16a.

Director Lyon made a motion to approve the agenda. Director Hernandez seconded the motion, which passed (4-0).

3. Meetings Scheduled

- a. Tuesday, November 2, 2010, 1:00 p.m. – Special Meeting
- b. Thursday, November 18, 2010, 10:00 a.m. – Regular Meeting
- c. Thursday, December 16, 2010, 10:00 a.m. – Regular Meeting
- d. Monday, January 3, 2011, 10:00 a.m. – Special Meeting to Swear in Director
- e. Thursday, January 27, 2011, 10:00 a.m. – Regular Meeting

Director Eichenberg stated that he had developed a time conflict with the November 2, 2010 meeting. Chair Saiers suggested that rescheduling this meeting could be discussed after Director Brown arrived. There were no changes to the meeting schedule at this time.

Later in the meeting, the meeting schedule was revised as follows:



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- a. Tuesday, November 2, 2010, 9:00 a.m. – Special Meeting**
- b. Thursday, November 18, 2010, 10:00 a.m. – Regular Meeting**
- c. Thursday, December 16, 2010, 10:00 a.m. – Regular Meeting**
- d. Monday, January 3, 2011, 10:00 a.m. – Special Meeting to Swear in Director**
- e. Thursday, January 27, 2011, 10:00 a.m. – Regular Meeting**

4. Items from the Floor / Public Comment

None.

5. Approval of Minutes

- a. September 30, 2010**

Director Hernandez made a motion to approve the minutes of the September 30, 2010 Regular Board Meeting. Director Lyon seconded the motion, which passed (4-0).

6. Financial Matters

- a. Approval of September 2010 Expenditures**

Irene Jeffries, AMAFCA Business Manager, presented the September 2010 Expenditure Report. She and Mr. Lovato answered several questions from Director Eichenberg. "NMWDOC" is the New Mexico Watershed and Dam Owners Coalition. There was a second check to Wells Fargo Leasing on the copier lease due to copy overages. This was due in part to an improper software setup. She stated that AMAFCA's representative is trying to get the overage charges reversed. The check from the construction fund to Robles, Rael & Anaya was for professional legal services incurred in August.

Director Eichenberg made a motion to approve the September 2010 Expenditure Report. Director Hernandez seconded the motion, which passed (4-0).

- b. Investment Report for September 2010**

Ms. Jeffries presented the investment report for September 2010. There were no questions, and no Board action was required.

- c. Financial Recap September 16, 2010, through October 15, 2010**

Ms. Jeffries presented the Financial Recap for September 16, 2010 through October 15, 2010. She stated that the Construction Fund forecast last month had not included the good faith



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deposits for the bond sale. The Recap shows \$1.2 Million in good faith deposits, and \$1 Million in returned good faith deposits. The other differences between the forecast and actual are due to pay estimates coming in different than the forecast amount.

d. Financial Forecast October 16, 2010, through November 15, 2010

Ms. Jeffries presented the Amended Financial Forecast for the period October 16, 2010, through November 15, 2010. She stated that the Forecast was amended to show the bond proceeds and interest premium. There were no questions.

Director Lyon made a motion that the Board approve the Financial Forecast. Director Hernandez seconded the motion, which passed (4-0).

7. Legal

a. Status Report

Attorney Marcus Rael, Jr., briefed the Board on the status of various legal matters, answering several questions from the Board. He elaborated briefly on the mill levy/Yield Control Act issue, stating that his research so far indicated that AMAFCA is bound by the Yield Control Act. He stated that he is still awaiting information on the legislative intent, and will supplement his opinion letter after he has reviewed that information. At that point, he will write a letter to the Department of Finance and Administration regarding the Board's concerns.

In response to a question from Chair Saiers, Mr. Lovato described the situation regarding one of the items in Mr. Rael's memo. Due to overland drainage across private property, there was some washout erosion at the Slick's Inlet. AMAFCA had to gain permission to enter private property in order to make repairs to our facility. The repairs were necessary to protect the South Diversion Channel.

Kurt Wagener, AMAFCA Field Engineer, briefly described a proposed drainage rundown across the adjacent Bernalillo County fire station property, which will help alleviate some of the problems in the area. The rundown will be built as a part of the Agency and Area-Wide Flood Control Maintenance Project.

b. Pending Litigation

Chair Saiers stated that discussion of pending litigation would be in closed session.

Director Hernandez 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



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be discussed, and as further described in “*The Open Meeting Act, A Compliance Guide for New Mexico Public Officials and Citizens*,” sixth edition, 2008, to discuss pending litigation. Director Eichenberg seconded the motion.

Chair Saiers stated that the closed session would be for purposes of discussion only, regarding pending litigation. The motion passed (4-0), on a roll call vote.

Chair Saiers closed the meeting at 10:21 a.m. Mr. Lovato and Loren Hines, AMAFCA Real Estate Manager, were asked to remain in the closed session. Director Brown arrived at 10:23 a.m. and joined the closed session, already in progress.

Director Hernandez made a motion that the meeting be re-opened. He stated that the Board had taken no action during the closed meeting, but had discussed pending litigation. Director Brown seconded the motion, which passed unanimously (5-0), on a roll call vote.

Chair Saiers reopened the meeting at 10:59 a.m.

8. Notification of On-Call Services Task Orders

Mr. Lovato noted that there were four on-call task orders, as outlined in his memo. He explained that the second task order to Vinyard & Associates was for additional specialized testing required by the contract.

Consent Agenda (items 9-10):

- 9. Consideration of First Extension of Various On-Call Services Agreements**
- a. Surveying Services – Surv-Tek, Inc., Wilson and Company, URS Corporation, and High Mesa Consulting Group**
 - b. Site Photography Services – Eagle's Eye Photo Imaging**
 - c. Real Estate Appraisal Services – Timothy J. Holzauer & Associates and Shipman/Foley & Associates**
 - d. Geotechnical/Environmental Engineering Services – Vinyard & Associates, Terracon, and Kleinfelder West, Inc.**

The memo from Mr. Lovato stated the above-listed non-engineering on-call agreements were originally signed in October and November 2009, and are due for their first extensions as they currently expire in late October and early November 2010. All are standard one-year contracts with the option to renew up to three additional years at the pleasure of the Board and with the concurrence of the on-call contractor, with the fees unchanged. All have been contacted and all have indicated they would like to extend their contracts an additional year. Each firm also provided a signed AMAFCA Campaign Contribution Disclosure Form.



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10. Ditch Safety Coordinator – Selection Advisory Committee Recommendation for Ditch Safety Coordination Services

The memo from Leonard Utter, Ditch and Water Safety Task Force Chairman, and Ms. Jeffries, stated that five firms picked up the scope of services for Ditch Safety Coordination Services, and one proposal was submitted. The Selection Advisory Committee (SAC) met on September 22, 2010 and found the proposal to be responsive. Total estimated cost of the services is not to exceed \$32,082 plus New Mexico Gross Receipts Tax. The SAC's recommendation was presented to the Task Force at their October 26, 2010 meeting. The Task Force agreed with the SAC's recommendation to award the contract to Griffin & Associates.

There being no further items on the Consent Agenda, and there being no questions, Director Hernandez made a motion that the Board take action on consent agenda items 9 and 10, as follows:

- Authorize the Executive Engineer to extend each of the above listed on-call contracts for a one-year term as per the provisions of the contracts, with no increase in fees; and
- Approve the Selection Advisory Committee's Recommendation to award the contract to Griffin & Associates, and authorize AMAFCA's Executive Engineer to negotiate an agreement for Ditch Safety Coordinator Services with Griffin & Associates, to be presented for Board consideration at the November 18, 2010, Board meeting.

Director Brown seconded the motion, which passed unanimously (5-0).

Director Brown thanked those firms having their contracts extended and the firm being selected.

In response to a question from Director Eichenberg, Attorney Rael stated that the amount of the contract with Griffin and Associates would not be negotiated, but the terms would be.

Regular Agenda:

11. Southeast Valley Drainage and Storm Water Quality Management Plan

a. Project Overview with Drainage and Water Quality Options

Mr. Lovato introduced Tyler Ashton, of Wilson and Company.

Lynn Mazur, AMAFCA Development Review Engineer, gave an overview of the Southeast Valley Drainage and Storm Water Quality Management Plan. She stated the study area covers a



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7,000 acre drainage basin area, which had not been studied with a comprehensive Drainage Management Plan since 1987. Methods, standards, and requirements have changed since then. This study identifies drainage corridors, ponding areas, and the like, in light of current methods and standards.

She noted that this is a good time to plan drainage corridors and ponding locations due to the fact that large-scale development has not yet taken place. She commented that the New Mexico Department of Transportation is also doing a drainage study along Broadway, and has agreed to incorporate that part of their Drainage Management Plan (DMP) into this DMP.

Ms. Mazur introduced Roger Paul, of Bernalillo County Public Works, and noted that Bernalillo County had funded a portion of the study.

Before starting his presentation, and in response to a question from Chair Saiers, Tyler Ashton stated that the DMP will be final by the end of the year. Ms. Mazur added that this is the first briefing before the Board, to show the findings so far.

In response to other questions from the Board regarding funding, Ms. Mazur and Mr. Lovato stated that the City of Albuquerque had not put any funding into the study. The County provided \$9,000. Mr. Lovato stated that the contracted cost for the study was about \$186,000. The New Mexico Department of Transportation (NMDOT) provided additional information from their drainage study for the NMDOT portion of the area being studied, estimated at a value of \$15,000 - \$18,000, at no cost to AMAFCA.

Mr. Ashton briefed the Board on the study area, and several options for drainage, including possible locations for drainage corridors and detention ponds. For lots at 1 DU/acre or less, on-site ponding is recommended. Each of the options also had alternatives.

Mr. Lovato and Mr. Paul provided additional supplemental information. Along with Mr. Ashton, they answered a number of questions from the Board during the presentation. Mr. Ashton stated that water quality facilities will be a part of the DMP, including Best Management Practices.

Mr. Ashton reported that the next step will be to have the draft report reviewed by the stakeholders (AMAFCA, Bernalillo County, City of Albuquerque, Middle Rio Grande Conservancy District, and the New Mexico Department of Transportation). There will also be public meetings on the plan, which will involve local businesses and neighborhood associations. He expected the report to be finalized soon.



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In response to a question from Director Hernandez about water quality, Mr. Ashton stated that water quality facilities will address any pollutants, and any remediation that might be necessary. There will be specific requirements for new development.

In response to a question from Director Lyon about coordinating with federal agencies, Mr. Lovato stated that any Superfund Sites should be fully remediated before development occurs. He also stated that staff has contacted the Corps of Engineers in an attempt to get a programmatic 404 permit for the entire area. Headquarters supports the idea, but the local office is hesitant until they know what the proposal is. The Bureau of Reclamation has also been contacted with regard to the MRGCD ditches. With the success of the Southwest Valley Flood Reduction Project, they are interested in discussing the project, but are not willing to put any money into it at this time.

In response to a question from Director Hernandez, Mr. Lovato stated that the emphasis on water quality in the DMP is in response to the requirements of the new EPA MS4 permit.

Director Brown stated that it might be a good idea to get most of the water to the river before it enters the Isleta Pueblo.

Mr. Paul noted that it would be a good idea to brief Art De La Cruz, Bernalillo County Commissioner for this area, on the results of the study, as approximately 70-80% of the basin is in the County. Director Hernandez suggested also briefing City of Albuquerque Councilor Isaac Benton.

Ms. Mazur thanked Tyler Ashton and Robert Fierro, of Wilson and Company, for their work on the study. She stated that the feedback from the Board will be incorporated into the DMP.

Director Lyon asked how long it would take to complete the study, and how long it would take to implement the final DMP. He stated that the City, County, MRGCD, and others need to be fully involved in the process at the planning level.

Director Hernandez noted that implementation of the plan will depend on when the project partners have money available.

b. Proposed Public Meeting

Ms. Mazur requested that the Board look at their calendars for possible dates for the public meeting to present the results of this study. Dates will be discussed and a date set at the next Board meeting.



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12. Sanchez Farm Tributary Storm Drains Update

a. Overview of Drainage Improvements in Project Area

Ms. Mazur introduced David Thompson of Thompson Engineering Company, the engineer on this project, and Hugh Floyd, of Easterling Consultants, his consultant on the project.

Ms. Mazur briefed the Board on how the Sanchez Farm Tributary Storm Drains Project fits into projects in the southwest valley over the last ten years, including which portions were fully funded by the County, and which portions AMAFCA also participated in. The Sanchez Farm Tributary Storm Drains Project will take care of the remaining 40% of the Sanchez Farm Detention Pond drainage basin. She stated that it is an important part of the backbone drainage structure for this area. Once a Conceptual Design has been developed, decisions can be made as to the phasing of the project, based on what funding is available.

Mr. Lovato provided some additional information on the project and the projects currently being constructed in the area. AMAFCA, in cooperation with Bernalillo County, has been constructing various pieces of the backbone structure over the last ten years.

b. Authorization to Proceed with Phase I – Conceptual Design

Ms. Mazur noted a letter from Bernalillo County supporting the project had been attached to her memo. However, the County needs the Conceptual Design and bond authorization election results to see how much construction funding will be available. She asked for authorization from the Board to proceed with the Conceptual Design of this project.

Mr. Paul stated that some of the proceeds of the County's bond election will be used on South Valley projects. If the cap on the Corps of Engineers' 593 program is raised, the County's money will be used as matching funds in the Corps' 593 program. The decision regarding the cap on the Corps' 593 program will be finalized in the February to April 2011 timeframe. The County's bond proceeds will be either used in the Corps' 593 program, or will be used towards other projects if the cap on the program is not raised.

In response to a question from Director Eichenberg, Ms. Mazur stated that AMAFCA has spent about \$80,000-90,000 so far on the contract with Thompson Engineering. The Board has already approved spending approximately another \$140,000 or so through the end of the development on the Conceptual Design.



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Director Eichenberg made a motion to defer a decision on authorization to proceed with Phase 1 – Conceptual Design for the Sanchez Farm Tributary Storm Drains Project, to March, 2011. Director Lyon seconded the motion.

Director Hernandez noted that this project needs to be built, and the parties are hoping for federal funding. It may not happen this fiscal year, but the funds will eventually be there. He supported continuing with the Conceptual Design.

Mr. Paul stated that the County is not stopping its South Valley efforts. If 593 program money does not become available, they will use the bond proceeds to work on smaller projects instead. The County is reticent to commit on funding new projects till it is known whether or not federal funds will be available. He stated the County supports finishing the Conceptual Design to figure out how big the project is, and to figure out what sort of phasing might be available. The final design is not needed yet.

Director Eichenberg pointed out that the bond election could fail, the 593 program cap could raise or stay the same. A lot of things could happen between now and March, that would affect funding of the project.

In response to a question from Chair Saiers, Mr. Lovato stated that the engineering effort expended to date will not be wasted. The work to complete the Conceptual Design will still need to be done. The contract is written in such a way that work to finalize the design can wait until construction funds have been identified.

Director Hernandez reiterated that the project will eventually need to be built, and that he supports authorizing the Conceptual Design.

Director Brown suggested waiting a little while, maybe going halfway to Conceptual Design.

Director Brown made a motion to amend the motion to defer a decision until after the November 2, 2010 elections, and to request that staff and Thompson Engineering meet to determine if there is another intermediate step point, to see if it makes sense to do part of the Conceptual Design, and bring that information to a future Board meeting. Director Eichenberg seconded the motion to amend the motion, which passed unanimously (5-0).

The amended motion, to defer a decision to authorize proceeding with the Conceptual Design until after the November 2, 2010 elections, and to request that staff and Thompson Engineering meet to determine if there is another intermediate step point, to see if it makes sense to do part of the Conceptual Design, and bring that information to a future Board meeting, passed (4-1), Director Hernandez voting against.



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13. Real Estate

a. Corrective Quitclaim Deed for Honeywell Site

Mr. Hines stated that Honeywell had approached him to have AMAFCA execute a corrective quitclaim deed. In 1984 AMAFCA had issued a quitclaim deed to relinquish unneeded portions of a drainage easement. However, the quitclaim deed had been issued to "Sperry Flight Systems, a division of Sperry Corporation" instead of to "Sperry Corporation." Honeywell International, Inc. has a successor interest in the property. The original quitclaim deed should have been issued to Sperry Corporation rather than a division of Sperry Corporation, as the division is not and has never been a legal entity.

Director Hernandez made a motion that the Board authorize the Chair to execute the Corrective Quitclaim Deed. The motion died for lack of a second.

In response to a question from Director Eichenberg about why AMAFCA was using a Quitclaim Deed to transfer property to a private entity, Mr. Hines stated that the original easement was granted by plat with reversionary language, and a quitclaim deed was issued when the property was no longer needed for flood control purposes. The corporation cannot transfer the 1984 quitclaim deed because it was made to a division which was not a legal entity. Their title company is telling Honeywell that they need a new quitclaim deed to clear the title.

Asked for his legal opinion, Attorney Rael stated that the transfer of the property happened in 1984. The requested Corrective Quitclaim Deed just corrects the name the property is transferred to. The property does not revert to AMAFCA to be re-gifted, and does not come back to AMAFCA if the Board does not approve the quitclaim deed.

Director Eichenberg asked why Honeywell is not pursuing a quiet title action instead, which would avoid AMAFCA's current anti-donation problem. If anything, AMAFCA might issue a corrective deed to Sperry Corporation, but not to Honeywell, which is a different entity entirely.

Mr. Hines noted that the easement was by plat, and that perhaps the quitclaim should not have been to an entity, but just quitclaimed by AMAFCA.

Responding to a question from Director Hernandez, Attorney Rael opined that this would be a corrective action; however, it could be argued either way. Director Eichenberg suggested that the title company should use other avenues to resolve the issue, rather than an action which could be taken as contrary to the anti-donation clause.

Director Brown noted that Honeywell is now the successor in interest, and that they should have ensured clear title at the time.



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After further discussion, the consensus of the Board was that Honeywell should use other remedies to clear title on the property.

b. Consideration of Quitclaim/Partial Release of Easement for Lot 17, Block C, Tract 2, Unit 1, NAA

The memo from Ms. Mazur requested that the portion of a drainage easement no longer needed for flood control purposes be quitclaimed/released.

Director Eichenberg made a motion that the Board approve the Quitclaim Deed/Partial Release of Easement for Lot 17, Block C, Tract 2, Unit 1 of North Albuquerque Acres. Director Hernandez seconded the motion, which passed unanimously (5-0).

c. Notice of Issuance of a Recreational License

Mr. Hines noted that one short-term recreational license had been issued, for a cross-country race at the North Baca Dam.

Chair Saiers called a brief recess at 12:20 p.m. The meeting resumed at 12:25 p.m., with agenda item 15 being moved ahead of agenda item 14.

15. Unfinished Business

a. Black Mesa Phase I Pipe Easement Update

Mr. Lovato stated that the Corps of Engineers has been notified of the money AMAFCA has spent with Albuquerque Survey, and the work needed to properly laser level Mr. Meeks' field, and take care of the other problems. These funds will be credited towards the Corps project. AMAFCA has also submitted an application to the Middle Rio Grande Conservancy District to request approval of a turnout and bridge crossing for the drain, similar to that used for the Albuquerque West Levee Project.

He reported that the Corps of Engineers has been very cooperative in working to get this situation resolved.

Mr. Hines reported that, after the surveyor staked the additional easement needed, and after walking the site with Mr. Meeks, Mr. Meeks is now comfortable with expanding the easement another 7 feet. He is also willing to compromise on the driveway improvements if they are a problem for Ms. Duffy.



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Mr. Hines stated that ripping the field prior to laser leveling will be done with care, to avoid the alkaline layer. AMAFCA will do this work, so as to avoid the installed pipe. Mr. Lovato stated that the laser leveling is part of the original agreement with Mr. Meeks. The problem was that the field was not ripped prior to leveling, so the soil was compacted and didn't level properly.

b. Black Mesa Phase I – Perspective on Constructed Project, Kathy Duffy

Mr. Lovato introduced Kathy Duffy, who owns and lives on the property adjacent to the Meeks property. The project was basically along the property line between their properties.

Ms. Duffy stated that, during construction, her house was subject to vibration as the cylinders were dropped. Cracks have developed in her porch and in the stucco on the walls of her house. Cracks have also appeared in the drywall on the interior. During the project, generators were running all night outside her bedroom window, and there was constant dust. Access to her house was disrupted for six to seven months.

She stated that the gravel in her driveway was replaced with large rocks rather than gravel. The contractor re-stuccoed only one side of her house, and did nothing to fix the courtyard wall. The cracks in her home reappeared within a month of being "repaired" by the contractor.

Director Hernandez apologized on behalf of AMAFCA. He stated that AMAFCA partially funded the project, but that the Corps of Engineers constructed and managed the project, and AMAFCA had no control over it. In the future, AMAFCA will monitor Corps-managed projects so this sort of issue does not happen.

Chair Saiers added that, when LTC Jason Williams of the Corps of Engineers learned of Mr. Meeks' and her issues with the construction project, he was extremely apologetic. He committed at the meeting last month to remedy the situation.

Mr. Lovato noted that the gravel the contractor used on the driveway was large cobble – 3" to 5" rocks – rather than base course gravel and that it was possible to get stuck in it. The AMAFCA crew will replace the rocks with new base course gravel, but will need a temporary construction permit to do so.

Director Lyon asked if Ms. Duffy and LTC Williams had been in contact. Mr. Lovato stated that he had requested that this happen before the contractor, Meridian, begins their next project in the area.

Director Lyon recommended that Mr. Lovato talk to the Corps of Engineers, and suggest that they treat her at least as well as they are treating Mr. Meeks.



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In response to a question from Director Eichenberg, Mr. Lovato stated that the Corps' contractor on the project, Meridian, from Tucson, Arizona, is a joint venture contractor on another South Valley project beginning soon.

Responding to a question from Director Hernandez, Mr. Lovato stated that the Corps uses a software program, RMS, instead of doing their own field quality control. They rely upon the contractor to do field inspections/quality control, and the Corps does quality assurance using the RMS software. Staff has asked for AMAFCA to have "read" access to the RMS software for projects involving AMAFCA. He noted that the Corps had no idea there was a problem with this project until AMAFCA did not accept the completed project. AMAFCA staff may be able to alert them to issues earlier, if they have access to the software reports.

In response to further questions from Director Eichenberg, Mr. Lovato stated that the Corps of Engineers will give AMAFCA credit for all the work done by AMAFCA on this project. He also stated he had talked with the South Valley Ink, a south valley newspaper, to try to repair AMAFCA's reputation and improve AMAFCA's image in the South Valley.

He commented that Bernalillo County has gotten more complaints than AMAFCA has. He noted that there have been no major complaints on the Los Padillas Outfall Crossing of Isleta Project, which AMAFCA is constructing. This is improving AMAFCA's image in the South Valley. The project is clean, well-run, and not causing problems on Isleta.

Mr. Lovato stated that he will facilitate a meeting between the Corps of Engineers and Ms. Duffy, so that her issues could be addressed.

Ms. Duffy said that she did not know the total dollar amount of the damages to her house.

Kurt Wagener, AMAFCA Field Engineer, suggested that contacting the contractor's insurance provider on the project might motivate the contractor to deal with Ms. Duffy's issues.

Ms. Duffy thanked the Board for hearing her out. Chair Saiers stated that AMAFCA will intervene to help ensure the repairs are done.

Mr. Lovato stated that he will find out the name of the insurance contact on the project. He will also photograph the damage to the house to document it, and AMAFCA will replace the rocks on the driveway with base course gravel.

Director Eichenberg stated that Mr. Hines and Mr. Wagener should follow up with the insurance company, and also should check out the extent of the damage to the Duffy home. The wall cracks could be due to a crack in the footing.



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14. Field Highlights

a. Construction Report

Kurt Wagener, AMAFCA Field Engineer, had provided a memo regarding current construction projects. There were no questions.

b. Field Report

Mr. Wagener gave a report of various projects and events over the last three months, answering several questions from the Board during his presentation. He also showed a video of the television ad being run by the AMAFCA 2010 Bond Committee in support of AMAFCA's Bond Election.

Director Brown commented, and Mr. Wagener confirmed, that our procedure of photographing nearby homes before beginning a project creates a baseline for any purported damage to be compared against. This protects us and the contractor.

John Kelly, AMAFCA Special Projects Engineer, noted that the person doing the work is an employee of a geotechnical firm specializing in pre-construction surveys. They document the condition of the home prior to construction, at roughly \$800 a house. This is a bargain in the case of a damage claim. He noted that the larger construction firms do this anyhow, and are glad that it is built into AMAFCA contracts as a line item, because it levels the playing field among large and small bidders.

3. Meetings Scheduled, continued

a. November 2, 2010 Special Meeting

The Board returned to a discussion of the November 2, 2010 Special Meeting. After discussion, they decided to hold the meeting at 9:00 a.m.

16. New Business

a. AMAFCA 2010 Bond Committee Update

Mr. Lovato reported that a contribution list had been provided to the Board. He noted that contributions were continuing to come in, and had already exceeded the \$24,000 revenues forecasted by the Bond Committee. Chair Saiers noted that a copy of the AMAFCA billboard,



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Journal endorsement of the Bond Election, and Bond Sale ad were included in the Directors' packets.

- b. U.S. Army Corps of Engineers Groundbreaking for Southwest Valley Flood Damage Reduction Project at Durand Open Space, Tuesday, November 9, 2010, 2:00 p.m.**

Chair Saiers also noted that the Corps of Engineers Groundbreaking Ceremony will be Tuesday, November 9, 2010, at 2:00 p.m. at the Durand Open Space.

- c. Middle Rio Grande Flood Control Association Annual Meeting, December 1, 2010, 7:00 a.m.**

Chair Saiers pointed out that the Middle Rio Grande Flood Control Association Annual Meeting Breakfast will be Wednesday, December 1, 2010, at 7:00 a.m. at the Four Hills Country Club.

She also noted that there were copies of two newspaper articles in the Board's mailouts. The Journal had endorsed the AMAFCA Bonds.

17. Adjourn

There being no further business to come before the Board, Chair Saiers adjourned the meeting at 1:28 p.m.

Ronald D. Brown, Secretary-Treasurer 11/18/10

Recorded by Pam Woodruff, Secretary to the Executive Engineer