

SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY
(SSCAFCA)
MINUTES OF 6-19-90

CALL TO ORDER: The meeting was called to order at 3:00 p.m. at the Rio Rancho mayor's conference room by Chairman Johnnie Losack.

Those in attendance were Directors Johnnie Losack, Dayton Molzen, Judy Russell and John Jennings, others present were Richard Farmer, Tamara Morgan, Chris Miller, Elmo Rhoton and five interested citizens.

APPROVAL OF
MINUTES:

The minutes of the June 6, 1990, meeting were read and two corrections were pointed out. It was pointed out that the words "Election of Officers" be added in the margin below "bonds" and to the left of the fourth paragraph which begins with "Johnnie Losack called" Also Judy Russell requested that the last sentence in the first paragraph for the agenda item "Election of officers" be amended to read "Judy Russell declined the nomination, due to an expected absence for the month of July."

The two corrections were so noted and approved as being made a part of the June 6 minutes. A motion to approve the minutes was made by John Jennings and seconded by Dayton Molzen. The motion was passed.

ELECTION
RESOLUTION:

Richard Farmer presented some changes to two forms in the Election Resolution and asked for approval of them to be included in the original Resolution, which was adopted by the board at the June 6, 1990, meeting. The two changes Mr. Farmer recommended were:

1. Form of Call for Nominations: Page 2; after the last paragraph reading a "qualified elector" is a person

Recommended paragraph in parenthesis be added to read: (Nomination Petitions may be obtained at the information desk at the Rio Rancho City Hall and at the Corrales Village offices).

2. Nomination Petition: In addition to the definition of a "qualified elector," it is recommended that a definition for a "taxpaying elector" be added and noted in the Nomination Petition with an asterisk.

A motion to accept the revised resolution was made by John Jennings, and seconded by Dayton Molzen.

The board approved of both recommended changes to the adopted Election Resolution.

Mr. Farmer stated that legal ads were taken to the Albuquerque Journal and the Observer. The publishing dates will be June 20, 27, and July 4. He also reported that nomination petitions will be delivered to the information desk at the Rio Rancho City Hall and to the Corrales Village offices by the morning of June 20, 1990.

BILLS:

Chairman Losack stated that the bill from the Manuel Lujan Insurance Agency for bonding will have to be paid by the end of the month. Mr. Farmer also pointed out that bills for the legal ads are forthcoming.

Since the Authority has no funds at the present time, no official action was taken.

FUNDS:

Chairman Losack reported that the Corrales Watershed board had approved of a loan of \$5,000 for six months at 2% interest if they could be provided a formal written request for the loan and also a note for the amount. Mr. Losack presented the written request, and John Jennings presented a note which a bank would approve of. The question was then raised by Mr. Molzen if it was legal to charge interest on money generated by taxes as a loan from one government entity to another government entity. After some discussion on the matter, Mr. Farmer was asked to check with AMAFCA, Department of Finance, et. al, to see if any provisions are available to cover such a transaction. There was a motion made by Judy Russell to authorize the chairman to borrow up to \$5,000 from any source in the event that there was a problem with the Corrales Watershed loan. It was seconded by John Jennings and passed unanimously.

Mr. Farmer reported that he had talked to Mr. Lionel Maestas of the State Engineers office and was told that a contract would be prepared for the \$40,000 which was granted to the authority by the State Legislature and should be in our hands by/or around the first of July.

Mr. Farmer also reported that he has had no success in getting County Commission Chairman Swistack and Alan Wylie (Sandoval County Flood Commission) together to discuss the rollover of the flood commissioner's funds. He stated he would continue to pursue the matter.

A brief discussion was held about the Authority's tax assessment, but it seemed to rely on what the outcome of the meeting with the Sandoval County Commission and Mr. Alan Wylie would be.

OFFICE SPACE:

Chairman Losack gave a brief report on the office spaces that had been submitted. It appeared that the spaces on Peggy Road and in the vicinity of the Industrial Park best fit the needs. After some discussion, Mr. Elmo Rhoton, who handles the rental space on Peggy Road, stated that he had met with Messrs. Losack and Farmer to negotiate his initial offer. His offer was now stated as: \$8.00 per square feet, all utilities paid, a one-year lease with an option to renew for a period of an additional four years, and with no increase in the rent for the term of the contract or upon exercising the option. The owner would make tenant improvements which would have to be paid back to the owner in full if the Authority moved out after one year. If the Authority stayed for five years, the Authority would not have to pay for any of the improvements.

A lengthy discussion followed during which many questions were asked by the board, as well as others in attendance. Mr. Rhoton responded to all questions.

A motion was made by Dayton Molzen and seconded by Judy Russell to approve renting the space on Peggy Road from Mr. Rhoton. Judy Russell then raised two questions, which were:

1. Instead of the one-year lease with a four-year option, would it be possible to lease on a year-to-year basis. The tenant improvements would be set at 100% repaid if renter moves after the first year, 75% repayable at end of second year, 50% repayable at end of third, and 25% at end of fourth and zero at end of fifth.
2. Mr. Rhoton was asked by Judy Russell if the board could see the contractor's estimate for tenant improvements, and also would the board be permitted to get their own contractor if, for some reason, they were not satisfied with his estimate.

Mr. Rhoton said that the board would have access to the owner's contractor's estimate, and that the board was certainly entitled to get their own contractor if they so desired.

Mr. Rhoton stated that he would have to contact the owner in reference to the first question, and get the information back to the chairman.

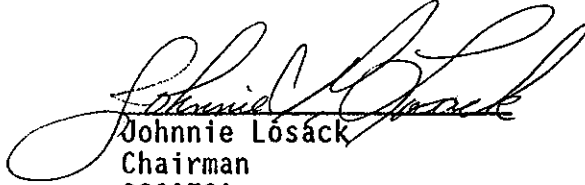
Judy Russell then made an amendment to the motion which stated that rental be contingent upon the board's approval of the contractor estimates. This amendment was seconded by Dayton Molzen and passed unanimously.

Judy Russell made a second amendment stipulating the year-to-year lease and the reduction of payments of tenant improvements as stated above. This was also seconded by Dayton Molzen and passed unanimously.

The motion, now with two amendments, also passed unanimously.

PLAN UPDATE: Mr. Farmer reported that he and Johnnie Losack had met with members of the Soil Conservation Service who would make up the planning team with the addition of Sharon Matson. The meeting was held this morning from 9:00 a.m. until noon. All necessary segments of the plan were discussed and assignments and due dates were established. Planning will begin immediately.

ADJOURNMENT: Chairman Losack adjourned the meeting at 4:30 p.m. and announced that the date for the next meeting would be set when he had adequate information and data to justify such a meeting.


Johnnie Losack
Chairman
SSCAFCA

Approved July 10, 1990