



Agenda Item Number: 2008-9-6A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: September 9, 2008

Department: Technical Services **Staff Contact:** Tom Zdunek, Deputy County Manager
Roger A. Paul, P.E., Technical Services Director
Susan Jones, Special Projects Coordinator

TITLE: Middle Rio Grande Conservancy District License Agreement for Storm Sewer Crossing of the Gun Club Lateral at Gun Club Road

ACTION: Motion to authorize the County Manager to approve License Agreement (MRGCD Contract No. 2-208-2007) between Bernalillo County, as Licensee, and the MRGCD.

SUMMARY:

The License Agreement enables the County to operate and maintain a storm sewer line across the Gun Club Lateral right of way held in easement by Middle Rio Grande Conservancy District (MRGCD). The standard Agreement is similar to others previously approved by Board action and is required for improvements within the MRGCD's right of way. The construction to install the storm sewer line has been completed by the developer, Remington Estates, as part of off-site improvements required by residential development. This line will connect the storm drain to a drainage pond located northwest of the crossing location.

ATTACHMENTS:

1. Location Map
2. License Agreement No. 2-208-2007

FISCAL IMPACT

The License Agreement is for a period of fifty (50) years and requires the County to maintain the storm sewer line at its own expense. These maintenance costs appear minimal and could be absorbed within the operational budget for Operations and Maintenance Department. SG-08/20/08

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

See summary. I recommend Board approval. TL 8/28/2008

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

The License Agreement contains standard language wherein the County accepts liability for the maintenance and operation of a storm sewer line within MRGCD right of way. I recommend approval. TZ 08/28/08

LEGAL

Commission approval is necessary based on the amount of the proposed expenditure. PFT
08/27/08

FINANCE

- Budget** Approval would allow the County to enter into a License Agreement with the MRGCD. All costs associated with the Agreement are anticipated to be minimal and as such can be absorbed within the existing operational budget. Stephanie Manzanares, Financial Services Administrator II 08/22/08
- Purchasing** No comment required. Phillip Lee, Purchasing Administrator, 08/25/08
- Contracts:** A Contract Control Number (CCN) will be assign after Commission approval. Phillip Lee, Purchasing Administrator, 08/25/08
- Risk Management** The Licensee shall be liable for any and all bodily injuries and or damages, to the property of the District and the property interest of the Reclamation or the property of the Licensee or any third party or parties arising from or by reason of the existence, construction, maintenance, repair, condition or use of any structures, accessories or encroachments authorized by this License or by the exercise of the privilege conferred by this License. David A. Baca, Risk Management Director. 8/25/08