

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, October 16, 2013 at our Vado Office, 325 Holguin Rd, Vado NM

NOTE: Minutes are in DRAFT form until approved by the Board

- I. **Call to Order, Roll Call to Establish Quorum** Sign-in sheet and agenda are attached. Directors present were Chairman Robert “Marty” Nieto (District 5), Vice-Chairman John Holguin (District 4), Secretary Santos Ruiz (District 2), Director Arturo Terrazas (District 1), Director Cali Tellez (District 3), Director Mike McMullen (District 6) and Director Furman Smith (District 7). Staff members present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Operations Manager, Mike Lopez, Projects Manager Karen Nichols, Customer Service Manager Christi Sanders and Adm Asst. Joan Ferguson. Also present were Ricardo Nevarez (El Bosque), Benito Treviño (El Bosque), Pablo Bermudez (El Bosque), Phyllis Smith (Organ) and Espy Holguin (HUD). With a quorum established the meeting was called to order by Mr. Nieto at 9:30 a.m.
- II. **Pledge of Allegiance** {:50}
- III. **Approval of Agenda** There were some last minute proposals to item IX.C— Proposed Vehicle Safety and Fleet Management Policy—and it was proposed that it be postponed until November’s meeting. Mr. McMullen moved to approve the agenda with item IX.C postponed. Mr. Smith seconded the motion and it passed with no further discussion 7–0. {1:47}
- IV. **Approval of Minutes, 9/18/2013 Regular Meeting** Mr. Smith moved to approve the minutes of 9/18/2013, Mr. McMullen seconded the motion and with no discussion the motion passed 7–0. {2:24}
- V. **Guest Presentation—None** {2:50}
- VI. **Public Input—15 minutes total allotted for this item, 3 minutes time limit per person** Señores Nevarez, Treviño and Bermudez were concerned with the inconvenience of the new office hours and the time of Board meetings (during working hours). They also questioned the posting of the agendas. Mr. Martin Lopez suggested a special meeting in the future to address the issues for the community. The bulk of the conversation was conducted in Spanish and translated by Mr. Martin Lopez. {28:48}
- VII. **Managers’ Reports**
 - A. **General Manager** Mr. Martin Lopez submitted a written report and discussed it with the Board.
 - Mr. Holguin asked about the Alto De Las Flores supplemental well. The supplemental well concerns the emergency interconnect that the Authority has with that system.
 - Mr. Terrazas asked for an explanation of the Snow Road Estates. Mr. Martin Lopez explained that it was a private development whose water system the Authority would take possession of. It consists of a 60,000 gallon tank and a pressure fire suppression system. It was originally an agreement between the developer and the Brazito Association. Mr. Tellez asked about the cost to the Authority. Mr. Martin Lopez said that the cost would be to insure the facilities. There are no out-of-pocket costs incurred to the Authority in this acquisition.
 - Mr. Nieto asked about the Rural Community Assistance Partnership board position that Mr. Lopez has been asked to fill. It would be a three-year term and the organization meets quarterly.
 - Concerning the flooding in the Berino office. The Authority carried no flood insurance on the Berino office because it was not in a flood plain. The GM will meet with FEMA later in the month to see if the Authority qualifies for assistance for governmental entities. Photos of the damage (attached) were passed around for Board members to see. Mr. Tellez asked if there had been any material or building damage. Mr. Martin Lopez said that they had no major damage but had to replace a \$60.00 surge protector. Flood insurance for that building will be around \$9.00/month. All Authority offices could be insured for \$900.00/year with a \$5,000.00 deductible.

- Mr. Holguin asked who would be able to attend the rate study workshop on Oct 21. Three members will not be able to attend so it was decided to reschedule. {40:30}
- B. Operations** Mr. Mike Lopez submitted a report and discussed it with the Board.
 - Mr. Terrazas had concerns about using gas chlorine instead of sodium hypochloride. Mr. Mike Nichols explained that by using gas chlorine the Authority is saving about \$8,000.00 per year simply because the gas is 100% available whereas the sodium hypochloride degrades quickly. The OM assured Mr. Terrazas that the proper safety systems are in place and that the operations crew has been properly trained. He also added that the other water systems in the county are using gas chlorine. Mr. Smith asked if the system in Organ will be switched to gas chlorine. Mr. Mike Lopez said that eventually it will be. {44:30}
- C. Projects** Ms. Karen Nichols submitted a written report and discussed it with the Board.
 - Mr. Nieto asked about the status of the Berino/Mesquite-Del Cerro Water System Project. Because the lowest bid came in below budget, a Board committee and management removed components from the project. The State Environment Department interpreted this action as “negotiating with the contractor” and has sent a recommendation to the NM Finance Authority that the LRGPWWA re-bid. USDA-Rural Development is still reviewing the bid package and previously has not had a issues with the reduction in scope such as this. However, because of the Federal government’s shut down, the federal employees at Rural Development who would review the changes have been furloughed and so the project is on hold. The worst case scenario is having to re-bid the project. Mr. Tellez asked about pending reimbursements. There is around \$184,000 due to be reimbursed for this project. Additionally, there is a \$37,500 reimbursement for the Brazito Sewer PER which has been received as well as \$37,500 that is pending for another PER.
 - Ms. Nichols is expecting to be finished with the Organ Water and Sew Project by mid-November. At this point, telemetry (the implementation of SCADA) is waiting for El Paso Electric to move their equipment to the correct easement. Mr. Smith asked to participate in the completion walk-through (inspection) as well as the 11-month walk-through.
 - There are modifications in the Radio Read Meter Project budget on the last page of the report. Mr. Terrazas asked when this project is expected to be finished. It is anticipated that all 3,200 meters should be installed by mid-May. Operations has been installing the meters but have been slowed by issues on the Organ project. The funding agency (NMFA) this month required a five percent retainage of funds until the project is finalized. Originally the NMED-CPB recommended retaining the entire last draw of funds (approximately \$78,000) even though there is no requirement in the agreement that the project be finalized before funds are released. There are 1,900 meters yet to be installed and the ED is retaining \$29,750.00. That being said, the rate of installation will be increased. {52:54}
- D. Finance** Ms. Kathi Jackson submitted a draft report and discussed it with the Board.
 - Mr. Nieto asked who was doing the meter readings. Ms. Jackson said it was still in the Finance Department but the duty was being shared.
 - The Brazito and Organ audits are finishing up.
 - The Authority’s audit will begin on Monday, October 21.
 - A quarterly budget will be up for approval next month. {58:40}

VIII. Unfinished Business

- A. Hiring Policy** Mr. Tellez still has issues with the hiring policy and enumerated them in a hand-out which he distributed and is attached. Mr. Nieto pointed out that office staff from outside the area could be hired and would cause concern with the members. Mr. Terrazas reiterated his stand that the Board becoming directly involved in hiring is a bad idea, first because of legal issues, second because of the appearance of partisanship. If it would make members of the Board more comfortable, he continued, perhaps a hiring committee could be developed that would offer recommendations to the GM on future management hires. The GM pointed out that the current draft had already been reviewed by legal counsel and any changes would have to go through the same process. Because the members need time to review Mr. Tellez’s recommendations, Mr. Holguin moved that the approval of the hiring policy be postponed until

November's regular meeting. Mr. Terrazas seconded the motion and it carried 7–0 with no further discussion. {1:11:22}

IX. New Business

- A. Extension of General Manager's employment contract—for approval** Compensation has not changed. Mr. Holguin moved to approve the extension of General Manager's employment contract. Mr. Smith seconded the motion. The motion carried 7–0 with no further discussion. {1:13:05}
- B. Proposed Safety Policy—for adoption** Mr. Nieto asked if this policy had been reviewed by legal counsel. It had. Mr. Tellez asked where the policy originated. Ms. Sanders said she researched water utility safety policies on the internet. Mr. Tellez asked if she had used any OSHA policies. She said she had not. Mr. Smith was concerned about the section that counseled employees to not come to the aid of an injured person. Ms. Sanders explained that it was for the legal protection of the Authority. Mr. Smith thought that the Good Samaritan Laws would cover that. Mr. Tellez proposed first aid courses. Mr. Holguin moved to approve the safety policy and Mr. McMullen seconded the motion. Mr. Martin Lopez pointed out this this policy was only part of a larger component of Policy and Procedures being put together by the Finance Department. The motion carried 7–0. {1:19:31}
- C. Proposed Vehicle Safety & Fleet Management Policy—for adoption** Mr. Holguin moved to postpone the Vehicle and Fleet Management Policy until next month. Mr. Terrazas seconded the motion and it carried 7–0 with no discussion. {1:19:31}
- D. Motion to convene in Closed Session pursuant to NMSA 1978 Section 10-15-1(H)(2) for discussion of the hiring, promotion, demotion, dismissal, assignment or resignation of a public employee—ROLL CALL VOTE** Mr. Holguin made a motion to convene in closed session pursuant to NMSA 1978 10-15-1 H (2) Limited Personnel Matters. Mr. Smith seconded the motion. The motion was voted as a roll call: Mr. Terrazas, aye; Mr. Ruiz, aye; Mr. Tellez, aye; Mr. Holguin, aye; Mr. Nieto, aye; Mr. McMullen, aye. The aye's carried and the session was closed at 10:50 a.m.
- E. Motion to resume the Open Meeting** Mr. Terrazas made a motion to open the meeting, Mr. Smith seconded the motion and it carried 7–0. The meeting resumed at 11:23. {1:21:12}
- F. Action, if any, with regard to the matters discussed in Closed Session** The Board verbally directed the GM to respond to an inquiry. No official action taken by the Board. {1:28:50}

X. Other discussion and agenda items for next meeting, 9:30 a.m. 11/13/2013 at the Vado Office

- A.** Hiring Policy
- B.** Proposed Vehicle Safety and Fleet Management Policy
- C.** Wi-fi available at Desert Sands
- D.** A Special Meeting may be a possibility on October 21.
- E.** Work session to discuss amendments to the statutes that established the Authority, specifically the combine and comingle.
- F.** Mr. Martin Lopez asked the Board if they would for an end-of-the-year potluck. Everyone thought it would be a great idea.

- XI. Adjourn** Mr. McMullen moved that the meeting be adjourned, Mr. Terrazas seconded the motion and it carried 7–0. The meeting was adjourned at 11:23 a.m.

Date minutes approved: November 13, 2013

Roberto Nieto, Chairman (District 5)

John Holguin, Vice-Chairman (District 4)

Santos Ruiz, Secretary (District 2)

Arturo Terrazas, Director (District 1)

Carlos Tellez, Director (District 3)

Michael McMullen, Director (District 6)

Furman Smith, Director (District 7)

Lower Rio Grande Public Waterworks Authority

Sign In Sheet

19. 1/2

Date: Oct 16, 2013

Time: 9:30 A

Place: VADO

Meeting Type: Regular Mtg

Name, Title - Print Sign	Company or Agency Represented	Mailing Address	Telephone	Email
JOAN FERGUSON <i>Joan Ferguson</i>	LRGPWWA	325 Holguin Rd P.O. Box Vado, NM 88072	233-5742 x 123	joan.ferguson@lrgauthority.org
Ricardo Valencia <i>Ricardo Valencia</i>	El Borge	575, 882-5884	575 882 5935	Berino
Antonio Ruiz Angela Smith	LRGPWWA	PO Box 172 Organ	575 642 7474	
Christi Sanders	LRGPWWA	PO Box 2046 Anthony	233-5742 x 121	Christi.Sanders@lrgauthority.org
Kathy Johnson Finance Manager <i>Kathy Johnson</i>	LRGPWWA	PO Box 2046 Anthony NM 88021	640-4330	
Mike Ferraz Mike Ferraz	LRGPWWA	PO Box 64 325 W. 504	233-4140 915	MH Ferraz@
Mike Ferraz <i>Mike Ferraz</i>	LRG Board Member	Anthony N.M.	731-0751	
MIKE McMULLEN <i>Mike McMullen</i>	LRGPWWA	201 STONE DR. MESILLA PARK NM.	970-302-7852	
FURMAN SMITH <i>Furman Smith</i>		PO BOX 172 ORGAN NM 88052	382 5982	SMITH@ZIANET.COM
John Holguin <i>John Holguin</i>	LRG	615 H. Lane R9 VADO, N.M.	625-9007	John.Holguin@lrg.org

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Meeting Notice & DRAFT Agenda—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, October 16, 2013 at our Vado Office, 325 Holguin Rd, Vado NM

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office—call 575-233-5742 for information

- I. Call to Order, Roll Call to Establish Quorum
- II. Pledge of Allegiance
- III. Approval of Agenda
- IV. Approval of Minutes, 9/18/2013 Regular Meeting
- V. Guest Presentation - None
- VI. Public Input—15 minutes total allotted for this item, 3 minutes time limit per person
- VII. Managers' Reports
 - A. General Manager
 - B. Operations
 - C. Projects
 - D. Finance
- VIII. Unfinished Business
 - A. Hiring Policy
- IX. New Business
 - A. Extension of General Manager's employment contract—for approval
 - B. Proposed Safety Policy—for adoption
 - C. Proposed Vehicle Safety & Fleet Management Policy—for adoption
 - D. Motion to convene in Closed Session pursuant to NMSA 1978 Section 10-15-1(H)(2) for discussion of the hiring, promotion, demotion, dismissal, assignment or resignation of a public employee—ROLL CALL VOTE
 - E. Motion to resume the Open Meeting
 - F. Action, if any, with regard to the matters discussed in Closed Session
- X. Other discussion and agenda items for next meeting, 9:30 a.m. 11/13/2013 at the Vado Office
- XI. Adjourn

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aide or service to attend or participate in the hearing or meeting, please contact the LRGPWWA office at 575-233-5742, PO Box 2646, Anthony NM 88021 OR 215 Bryant St., Mesquite NM at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the LRGPWWA office if a summary or other type of accessible format is needed.

Si es un individuo con una incapacidad esta en necesidad de un lector, amplificador, lenguaje por señas, o cualquier otra forma de asistencia o servicio para atender o participar en las juntas, por favor llame a la oficina LRGPWWA, 575-233-5742, PO Box 2646, Anthony NM 88021 O 215 Bryant St., Mesquite NM una semana antes de la junta o en cuanto posible. Documentos públicos, incluyendo la agenda y minutos, están disponibles en varios formatos. Por favor opóngase en contacto con la oficina LRGPWWA si un resumen o otro tipo de forma accesible es necesario.

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Minutes—REGULAR BOARD OF DIRECTORS MEETING

9:30 a.m. Wednesday, September 18, 2013 at our Berino Office, 1150 Berino Rd, Berino, NM

NOTICE: Minutes are in DRAFT form until approved by the Board

- I. **Call to Order, Roll Call to Establish Quorum** Sign-in sheet and agenda are attached. Directors present were Chairman Robert “Marty” Nieto (District 5), Vice-Chairman John Holguin (District 4), Secretary Santos Ruiz (District 2), Director Arturo Terrazas (District 1), Director Cali Tellez (District 3), Director Mike McMullen (District 6). Staff members present were General Manager Martin Lopez, Finance Manager Kathi Jackson, Operations Manager Mike Lopez, Projects Manager Karen Nichols, Customer Service Manager Christi Sanders and Adm. Asst. Joan Ferguson. Absent, was Director Furman Smith (District 7). Also present were Guillermo Roberto, Andy Garcia and Tiffany Goolsby (SCCOG). With a quorum established, the meeting was called to order by Mr. Nieto at 9:34 a.m.
- II. **Pledge of Allegiance** {1:04}
- III. **Approval of Agenda** Mr. Tellez moved to approve the agenda with the postponement of item IX.D, new policies from the Finance Department. Mr. McMullen seconded the motion and it carried 6–0. {1:57}
- IV. **Approval of Minutes**
 - A. **8/21/2013 Regular Meeting** Mr. McMullen moved to approved the minutes of the 8/21/2013 Regular Board Meeting. Mr. Holguin seconded the motion. The motion was approved 6–0. {2:40}
 - B. **9/4/2013 Special Meeting** Mr. Holguin moved to approve the minutes of the Special Meeting of 9/4/2013. Mr. Terrazas seconded the motion and it passed 5–0 with Mr. Tellez abstaining due to not being present at that meeting. {3:23}
- V. **Guest Presentation** none {6:22}
- VI. **Public Input—15 minutes total allotted for this item, 3 minutes time limit per person** Mr. Guillermo Rodriguez (from the Berino area) wanted to know why the office hours at Berino had been changed without notice. Mr. Martin Lopez translated. The Board wanted to know if it were possible to have offices open on the due dates. Ms. Christi Sanders pointed out that the due dates were consistent every month (unlike the City) and could fall on a Tuesday or Thursday when the offices are not open and there are several alternatives to paying bills besides going to the Berino office on the due date. Mr. Martin Lopez explained that the current hours exist because of staff levels. Mr. Tellez asked for delinquency figures in order to address that issue but Mr. Holguin pointed out that generally, those that are delinquent in the accounts are consistently delinquent. Mr. Andy Garcia also presented a change of hours problem. {32:10}
- VII. **Managers’ Reports**
 - A. **General Manager** Mr. Martin Lopez submitted a written report and discussed it with the Board. Mr. Terrazas asked about Desert Academy. Mr. Martin Lopez explained that it was a high school for gifted students that would be located next to Berino Elementary and reviewed the water rights issues. Mr. Tellez asked about the encroachments at the Tierra del Sol Parque Subdivision. The homeowners were encroaching on the Authority’s right-of-way by building fences of various materials. The lawyer for Tierra del Sol is drafting a letter informing the homeowners that should the Authority need to access the right-of-way, the removal of the encroachments would be at the homeowner’s expense. Mr. Terrazas asked about the grievance with the State Engineer over the combine and comingle. Mr. Martin Lopez said that the Authority’s lawyer advised dropping the grievance and exploring other alternatives such as the Return Flow Credit Plan and he discussed the details of that alternative to secure the Authority’s water rights.
 - B. **Finance** Ms. Jackson did not have a report to present to the Board due to technical problems caused by an employee that recently had been dismissed. Mr. Nieto asked that in the future, Ms. Jackson present

her figures to the Board. Mr. Lopez said that the plan was to present a Profit and Loss statement monthly and a Balance Statement quarterly. Additionally, Ms. Jackson reported to the Board that the asset inventory that had been cited in last year's audit was in the process of being finalized. Mr. Nieto asked about the fee study. Ms. Jackson said that Ms. Morales has been collecting figures and Mr. Martin Lopez said that she is planning on having it finished at the end of October. {38:05}

- C. Operations** Mr. Mike Lopez submitted a written report and discussed it with the Board. Mr. Nieto asked about Well #2. Mr. Mike Lopez said it was back in commission but 40 feet of 4" transmission line had cracked down the middle and leaked about 150,000 gallons of water. Mr. Nieto asked the reason. Mr. Mike Lopez wasn't sure but speculated that with the rain, the soil had softened and the truck traffic had caused the rupture. The weather has also caused many other issues but water service has not been interrupted. The biggest issue with the latest rain was that El Paso Electric had notified Customer Service that they would be shutting off service due to a fire. There was some scrambling to turn off electronics and wells to avoid an emergency shut-off but it did not occur. Mr. Tellez asked how long the Authority could go without electricity, i.e. how much water was stored. Mr. Mike Lopez speculated that, on average about 24 hours, given that different size tanks would last longer. That led to Mr. Terrazas asking about generator back-up whereupon Mr. Martin Lopez told the Board that there was an engineer's report that explores generator back-ups at all Authority wells. Mr. Terrazas asked about where the SCADA was monitored. Mr. Mike Lopez explained that he could monitor it with his laptop from anywhere but there was no central computer. Mr. Martin Lopez explained that the Legislative grant that the Authority would be receiving that would study the SCADA system. {47:30}
- D. Projects** Ms. Nichols submitted a written report to the Board and discussed it with them. The final inspection had begun on the Mesquite Wastewater Project when it was discovered that over 100 of the clean-outs were installed incorrectly. The contractor, Layne SW, is responsible and will be replacing them. Additionally, even with an extension, Layne is off schedule and will begin paying liquidated damages of around \$100 per day beginning mid-October. On the other hand, Department of Finance Authority, Local Governments Division has asked the Authority to re-request a scope change for the \$34,000 that was left over from the Alto de las Flores project. Those monies will be used towards design for the Veteran's Road project. Mr. Nieto asked about the status of the Berino/Mesquite-Del Cerro Project. All the necessary documentation is with USDA-RD. Once they approve it and set a closing date, construction can begin. In the past there have been delays between a closing and an approval to begin construction, but construction is expected to begin at the latest, mid-October. Mr. Terrazas asked about the water treatment plant project. The paperwork has been stalled in the Environment Department. Mr. Terrazas asked if political pressure could be applied. Communications have begun along those lines. {1:08:31}

VIII. Unfinished Business

- A. Resolution FY2014-06 Infrastructure Capital Improvement Plan FY2015–2019—for adoption** Mr. Martin Lopez told the Board that there had been no public input and the Board had not asked for a change in priorities on the draft. Mr. Tellez asked if the Veteran's Road project had been moved up. Mr. Lopez said that it was included in the Distribution System Rehabilitation and Improvements Project. Mr. Holguin moved to adopt Resolution FY2014-06 Infrastructure Capital Improvements Plan FY2015-2019. It was seconded by Mr. McMullen. The motion passed 6–0 with no further discussion. {1:09:45}
- B. Proposed backflow policy—for adoption** Mr. Mike Lopez explained that the fees will maintain the policy. Mr. Tellez asked about the fees: \$75 for annual testing. There was a short discussion on annual inspection waivers. Mr. Tellez asked if this policy applied only to commercial properties. Mr. Mike Lopez explained that domestic properties may be running a business that would require a backflow prevention assembly. Mr. Holguin made a motion to adopt the *Cross Connection Prevention and Control Policy*. Mr. McMullen seconded the motion. The motion passed 6–0 with no further discussion. {1:15:12}
- C. Hiring Policy—for adoption** Mr. Tellez made a motion to schedule a working session to discuss the hiring policy. Mr. Ruiz seconded the motion. Mr. Holguin pointed out that the Board had tasked Mr. Martin

Lopez to develop a policy and that Mr. Martin Lopez had asked via e-mail whether anyone had any concerns. Mr. Martin Lopez replied that Mr. Smith had concerns that had been incorporated into the policy but Mr. Tellez, while saying he had concerns, had not detailed them. Mr. Terrazas asked for a roll call vote: Mr. Terrazas, no; Mr. Ruiz, no; Mr. Tellez, aye; Mr. Holguin, no; Mr. Nieto, no; Mr. McMullen, no. The no's carried and the motion failed. Mr. Martin Lopez explained that he had tasked Ms. Ferguson with gathering information on hiring policies and requested input from managers and the Board which he had incorporated. Mr. Terrazas suggested that the motion be postponed until Mr. Tellez' concerns were met. He added that the Board's role at this point was to insure that State and Federal laws were being followed. He asked if the Authority's attorney had seen it and Mr. Martin Lopez replied in the affirmative. Mr. Holguin moved that the adoption of the Hiring Policy be postponed until the next Board meeting, Mr. Terrazas seconded the motion and it passed 6-0. {1:223:30}

- D. Safety Courses** Mr. Tellez informed the Board that the company with whom he is inquiring is making sure that they are certified. There were questions about the status of an employee's driver's license. Mr. Martin Lopez said that the Authority's current insurance carrier verifies whether a new employee has a valid New Mexico license and thereafter would notify the Authority of any infractions. Mr. Terrazas asked whether the Authority would be sole sourcing. Mr. Martin Lopez said that other than this company, he had found no other company that would offer drivers safety courses. The Finance Department would be handling the procurement and different price points would trigger different scenarios. Mr. Terrazas pointed out that if a Board member had a tie to the company they would not be able to vote on it. But, Mr. Martin Lopez pointed out that it would not come back to the Board. {1:30:53}

IX. New Business

- A. Amendments to Member/Customer Policies—for approval** There were several instances where "association" was changed to "Authority." Item 4.C was clarified: Ms. Sanders suggested that "payments must be received at the Authority's offices..." instead read "payments must be received *in* the Authority's offices..." Item 4.H is a clarification. Ms. Nichols requested that "Cross Connection Prevention and Control Policy" be added to the list of attachments. Mr. Holguin made a motion to approve the amendments to *Member-Customer Policies* with the additional changes mentioned above. Mr. Terrazas seconded the motion and it carried 6-0 with no further discussion. {1:40:30}
- B. Amendments to Member Application for Water/Sewer Service—for approval** "Association" was corrected with "Authority" and "President" to "Chair." Mr. Holguin moved to approve the amendments to the Member Application for Water/Sewer Service. Mr. Tellez seconded the motion and it carried 6-0 with no discussion. {1:42:32}
- C. Amendment to Schedule of Rates and Fees—for approval** The changes on this document were to add the language "Brazito, Butterfield Park, Organ" to billing cycle #1 and the addition of the rates for the cross connection and backflow policy. Mr. Holguin made a motion to approve the amendment to the *Schedule of Rates and Fees*. Mr. Ruiz seconded the motion and it passed 6-0 with no discussion. {1:42:45}
- D. New policies from Finance Department, postponed until next meeting**
- E. Resolution FY2014-05 Authorizing Signatory Authority & Representatives for SAP 13-1448-STB—for adoption** This document accepts Legislative funding for IT and authorizes either the General Manager or the Projects Manager to sign for the funds. Mr. Holguin moved to adopt Resolution FY2014-05 Authorizing Signatory Authority and Representatives for SAP 13-1448-STB. Mr. Tellez seconded the motion and it passed 6-0 with no discussion. {1:44:08}
- F. Motion to convene in closed session pursuant to NMSA 1978 10-15-1 H (2) Limited Personnel Matters—Roll Call Vote** Mr. Holguin made a motion to convene in closed session pursuant to NMSA 1978 10-15-1 H (2) Limited Personnel Matters. Mr. Ruiz seconded the motion. The motion was voted as a roll call: Mr.

Terrazas, aye; Mr. Ruiz, aye; Mr. Tellez, aye; Mr. Holguin, aye; Mr. Nieto, aye; Mr. McMullen, aye. The aye's carried and the session was closed at 11:18 a.m. {1:45:17}

G. Motion to reconvene in open session, statement by the chair that no action was taken in closed session and the only item discussed was the described in the motion. Mr. Tellez made a motion to reconvene in open session. Mr. Ruiz seconded the motion and it carried 6–0. The session was opened at 12:00 p.m. The Chair stated that they only discussed employee issues and the employee complaint. {1:45:17}

H. Action (if any) related to the matters discussed in closed session. The Chair asked that the Board and Staff from this point forward conduct themselves in a professional manner and that all employee complaints be addressed to Martin who will speak with the appropriate supervisor. {1:45:42}

X. Other discussion and agenda items for next meeting, 9:30 a.m. 10/16/2013 at the Vado Office

- A. Hiring Policy
- B. Finance Policy
- C. GM contract
- D. Ongoing policy cleanup

XI. Adjourn Mr. McMullen moved to adjourn, Mr. Tellez seconded the motion and it carried 6–0. The meeting was adjourned at 12:02 p.m.

Date approved: October 16, 2013

Roberto Nieto, Chairman (District 5)

John Holguin, Vice-Chairman (District 4)

Santos Ruiz, Secretary (District 2)

Arturo Terrazas, Director (District 1)

Carlos Tellez, Director (District 3)

Michael McMullen, Director (District 6)

Absent

Furman Smith, Director (District 7)

LRGPWWA
Manager's Report
October 16, 2013

- Transfer of Assets from Associations
 - Berino: BLM permit application fees have been submitted-On hold due to Federal Shut-down
 - Organ 2012 Audit on going
 - Brazito items pending
 - Construction account is closed
 - 2012 Audit on going
- RCAC continues with Rate Study board work session set for October 21st at La Mesa office
- NMDOT Vado Interchange water line relocation agreement has been executed by both parties
- Chaparral Cable Company agreement has been executed by both parties, but they have not set up equipment, thus “rent” is pending
- NMOSE
 - Grievance for combine and commingle pending meeting set from October 17th to discuss Return Flow Credit Plan (possible edits to plan)
 - Alto De Las Flores Supplemental well approved LRG 07197 and LRG 03338
 - Extension of Time Beneficial Use finalize
 - LRG 05037 (Desert Sands) June 30, 2014
 - LRG 03338 (Mesquite) March 31, 2015
 - LRG 00065 (Organ and Butterfield Park) May 31, 2015
 - LRG 07644 (La Mesa) February 28, 2016
 - LRG 07595 (Berino) May 31, 2016
 - LRG 05810 (Brazito) June 30, 2016
 - LRG 07644 (La Mesa) February 28, 2016
- Snow Road Estate
 - Transfer/ownership pending

- Gannett Fleming West's (Engineers for Mesquite Sewer) NM operations purchased by Souder Miller & Associates. LRGPWWA contract has been assumed and Jody Garcia, Project Engineer has been retained
- Rural Community Assistance Partnership is requesting my candidacy for an at-large board position. It will be at no expense to the LRGPWWA and if selected personal leave will be taken to attend board meetings/functions.
 - The Rural Community Assistance Partnership (RCAP) is a national network of nonprofit organizations working to ensure that rural and small communities throughout the United States have access to safe drinking water and sanitary wastewater disposal. The six regional RCAPs - its partners or affiliates - provide a variety of programs in their section of the United States to accomplish this goal, such as direct training and technical assistance, leveraging millions of dollars to assist communities develop and improve their water and wastewater systems.
 - The work in communities is coordinated and carried out by each of RCAP's regional partners. The network includes a national office in Washington, D.C., that coordinates funding, reporting and finances for the programs and handles communications at a national level for the network.
- Finally, the flooding impacted our Berino office and facility site. Water got into office, very little equipment was damaged. Met with FEMA did not qualify for their program. Add flood insurance to building

Lower Rio Grande PWWA

Operators Report

October 16, 2013

System Problems and Repairs.

- Backflow inspections are current.(Mesquite District)
- Sewer tank inspections are current.(Mesquite District)
- My operators need to finish two routes, one in Berino and one in Desert Sands, after that we start in Mesquite.
- The 200,000 gallon water tank in Mountain View is back in service.
- We had two major water leaks in Butterfield on a Monday until midnight then the next morning a leak on the main transmission line for well #2.
- The Gas Chlorine at well #8 is in service.
- I have been spending a lot of time up at the east mesa as the contractor is close to completion.
- We did a walk through on a couple of bid lots for the sewer project and we have a few streets of houses hooked up to the new collection system.

NMED: The first set of Monthly Bac-T-Samples will be taken on 10/16/13.

Mesquite district Wetlands: wetlands have been working fine.

Mesquite Sewer Report. Not due

Chlorine: No problems.

Reports: NMED, State Engineers, and the water conservation reports have been sent.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
PROJECTS REPORT – 10/16/13 BOARD OF DIRECTORS MEETING**

Authority Construction Projects:

LRG: 11-02.1 -Mesquite Wastewater Project – Gannett Fleming– CONSTRUCTION Stage – Layne Southwest - RD \$7,262,081, CITF \$1,670,257: We have negotiated a future inspection to address the construction deficiencies with the sewer mains that were identified by the video inspections. We are modifying the change order to incorporate the utility conflicts and to adjust the quantities for the service line and dewatering, which will extend the length of the contract to include the padlocks for the lift stations, the fencing and guardrail around the lift stations, and the hydrogen sulfide detector. The personnel that were working on this project from USDA-RD have been furloughed due to the federal government shutdown, which could impact the progression of the project.

LRG-11-02.2 - Authority/Brazito Sewer Project – Vencor – Pre-Design/Funding Application Stage – NMFA/SAP funded Planning, CITF/RD Applications pending: PER & EID are complete and approved, NMFA Planning Grant funds have been received. We are planning to reapply to CIFT for design funds.

LRG-11-03 – Interconnect & Looping Project – see 12-01 Authority PER

LRG-11-04 – Berino/ Mesquite-Del Cerro Water System Project WTB #223 – Vencor – Bid Stage – RD - \$5,420,147/WTB - \$4,371,630: USDA RD Request for Concurrence package prepared by Engineer and submitted on 9/4/13. Mr. Deal of NMED-CPB is of the opinion that reducing the scope of the project constitutes negotiation with the low bidder and that we should re-bid the project to comply with the Procurement Code. No response was received from USDA-RD prior to the federal shut-down. Engineer requested permit time extension from NMDOT-District 1 for Permit #'s 1-12-23, 1-12-24 and 1-12-25 on 10/3/13. Engineer provided updated Funding Analysis and Amendment #2 to original ESA contract on 10/9/13.

LRG-11-05 – Surface Water Treatment Plant WTB #252– Bohannon Huston - Design stage - \$750,000 WTB –

Project Team work has been placed on hold until second RFP and contract have been approved. Engineering Contract Scope has already been modified to merge surface water and brackish water dual purpose plant evaluation work effort and man-hours estimate, and is awaiting NMED-CPB approval. Sub-consultant agreements have been established and are in place.

LRG-12-03 – Authority-Alto de Las Flores Interconnect– Vencor – Complete - \$86,400 Old Colonias Initiative/DFA + G F & Alto contributions –Senator Papan will seek reauthorization of the funds for the Veteran’s Road area in the next session. Time extension will also be needed. Mr. Gleason has left NM-DFA-LGD and Simon Saiz is leaving next month. New Director is Wayne Sowell. Sent a request for change of scope to utilize the remaining funds for design for unserved areas where drought is impacting private wells in to Mr. Saiz on 10/1 and 10/8/13.

Authority PERs/EAs/40 Yr. Water Plan, Equipment:

LRG-12-01 – Authority PER – Vencor – Planning Stage - CDBG Planning Grant \$50,000, NMFA Planning Grant \$37,500 & \$12,500 Local Match: 92% complete. Extension requested on 7/1 was approved with

new deadline of 11/1/13. Vencor submitted revised PER to NMED-CPB on 9/25/13, Mr. Deal will not review before 10/15/13, and Mr. Saiz' last day with NM-DFA-LGD is 10/11/13. Submitted a new extension request on 10/8/13. If for some reason it is not approved, we will need to convene a Special Board Meeting for the board to approve the PER and hold a public hearing with 10-day notice prior to 11/1/13.

Forty-Year Water Plan – CE&M – complete – needs update for new mergers: pending NM-OSE comments/approval.

Return Flow Credit Plan – CE&M – complete – needs update for new mergers – Pending Review: Drafted and submitted to Ms. Thacker at local NM-OSE 12/21/11. Resubmitted with copy of cancelled check on 8/21/13. Meeting with NM-OSE regarding the grievance & Return Flow Plan is set for 10/17/13 at 9 am.

LRG-12-02 - Radio Read Meters – in-house/Rio Grande Pump & Supply – Installation Ongoing - 600,950 DWSRLF: : \$595,000 was approved at 50% subsidized + 25% grant = 75% grant, 25% loan at 0% plus fees approved by NMFA Board 4/27/12. All (7½ pallets) of the meters have been received, 7 funds requisitions have been submitted and 6 paid. 1289 meters were installed as of the 7th Requisition.

LRG-13-02 – System-wide Information Technology Standardization - \$175,000 NM STB: Funds will be available sometime after 7/15/13. Grant agreement has been executed and original has been mailed to us by NMED-CPB.

LRG-13-03 – Water System Purchase Project – for RFP – Planning Stage - \$37,500 NMFA Planning Grant – on DWSRLF Priority List: NMFA Board approved Planning Grant on 7/26/13. RFP for engineering services is in development and will be to PTAB for review.

Individual MDWCA Projects:

LRG-12-04 - Organ Water & Sewer Project – Bohannon Huston – Construction Phase – Morrow - \$2,990,382 RD Colonias Grant, \$101,000 RD Loan: As of 10/10/13, all main line piping is installed for the entire project. All that is remaining on the mainline is 3 more tie ins in the Mountain View area and the tie in to the Tierra Alta transmission line on the South side of US 70. There are still 7 services to be completed in the Tierra Alta area. Final grading of the roadways and gravel placement will begin next week and continue to the end of the project. An initial startup of the new booster pumps was attempted October 3rd., however due to a crossed line at the connection point at the Organ tank site the 5th Street booster pumps inadvertently over pressured the distribution line in Organ proper and burst several resident's water lines. The contractor and LRGPWWA staff has made the repairs to the various locations and another pump startup is to be scheduled in the near future. El Paso Electric has not made the changes to the electric service line to the new booster station in Organ, but it is not expected to have an impact on the project either way. The Mountain View tank tie-in is also remaining and will be completed next week. The new PRV's have been installed and are in operation. Some of the residents in the area of Corona Road and El Centro may experience lower pressures than they previously had due to the new PRV's but they are within acceptable limits for a public water system. It was discussed at the monthly progress meeting if a check valve and meter can be installed in the transmission line to Tierra Alta, and it is confirmed that the system can operate as expected with the check valve in place. We are working with the pump vendor and contractor to provide cost for the added valve and meter. Due to the final tie-ins to the existing water system, portions of the system may have a scheduled outage in Mountain View area. These will be the last for this project. A Final Walk-

Thru for Substantial Completion will be scheduled before the middle of November to close out this project.

LRG-13-01 – Brazito Water System Improvements – Engineers Inc. – Design Phase - \$523,354 NM CITF Grant, \$58,150 Loan, \$58,150 Match Requirement: Scope change to include design in the project description was approved by the CITF Board agenda on 9/11/13. Closing was finalized, transcript received for the original closing. Scope change may require a new closing. I have inquired with the NMFA attorney and discussed with him by phone, do not have a definitive answer yet. RFP for Professional Services for this project is under review at PTAB.

Other projects:

USDA-RD Transfer & Assumption Application Packages: Application packages for Butterfield Park, Organ & Brazito were submitted 1/7/13 and are still under review at RD at national level. Federal shut-down will further delay that.

Infrastructure Capital Improvements Plan 2015-2019: Final Plan was adopted by Resolution at the September and submitted by 9/30/13 to DFA. Received a confirmation email on 10/7/13 that it was received

Documents Retention & Destruction – Sorting of old association documents for storage or destruction is ongoing, and staff is implementing approved retention/destruction schedules for LRGPWVA documents. El Paso Shred has picked two 90 gallons containers of documents scheduled for destruction since last month.

Website and Email – Notices and Board Minutes pages are current. Revised policies have been posted on the Documents page. Updates to the site are ongoing.

Funding Applications Pending:

- A **Project Interest Form** and supplemental documents were submitted to NMED for CWSRLF funding to decommission the wetlands in Mesquite on 5/7/13. This is a regulatory requirement/condition of the permit and must be done.
- **USDA-RD Water Rights Purchase Project:** \$1.5 million Application and PER were submitted to USDA-RD on 6/26/13, local office completed their review, state office reviewed and sent to DC. Federal shut-down

Radio-read Meter Project		Wilson & Company					
Project # LRG-12-02	3,204 Radio-Read Meters		NMFA Notice to Proceed		3/21/2012		
Closing Date 12/21/2012	Funding Exp. 2 years						
PROJECT BUDGET							
Funding Sources			\$ Funds				
DWSRLF 2710-DW 0% loan			\$148,750.00				
DWSRLF 2710-DW Subsidized loan + grant			\$446,250.00				
			\$595,000.00				
LRGPWWA General Funds commitment			\$6,504.28				
Total Project funds			\$601,504.28				
Project Expenses				Budget \$	Expended	%Complete	Remaining
Engineer: Bid Documents				\$5,948.22	\$ 5,948.22	100.0%	\$ -
NMGRT				\$416.38	\$ 416.38	100.0%	\$ -
Bid Advertisement				\$135.53	\$ 135.53	100.0%	\$ -
Meters (incl. tx.)				\$595,004.15	\$ 595,004.15	100.0%	\$ -
Totals				\$601,504.28	\$ 601,504.28	100.0%	\$ -

PROPOSED
Lower Rio Grande Public Water Works Authority
Recruitment and Hiring Policy

1. RECRUITMENT AND POSTING PROCEDURE

Vacancies may be filled in-house from any department by internal posting of the job notice without public advertisement. Positions not filled in-house shall be advertised at least once in a local newspaper, on the LRGPWWA website, and on the New Mexico Workforce Solutions website. The notice shall allow at least five (5) working days for receiving applications. Posting may occur simultaneously with advertising. LRGPWWA Department Manager and designated LRGPWWA Human Resources staff shall develop a notice for position consistent with the position job description which outlines the required job-related skills and competencies, educational background, and related work-experience. The General Manager may set restrictions on filling vacant positions in consideration of budgetary and other restraints or requirements.

2. EXCEPTIONS TO POSING

Posting may be waived with approval of the General Manger for temporary hires or when in the best interest of the LRGPWWA.

3. REQUEST FOR TRANSFER

Any LRGPWWA employee who has completed the probationary period and who is not the subject of disciplinary action may apply for a position vacancy in any LRGPWWA department for which the employee is qualified. Final actions are the discretion of the department Manager and General Manager. Employees who transfer position will serve another probationary period.

4. PRE-SELECTION PROHIBITED

In-house and advertised positions shall not be promised to a person prior to recruitment and selection.

5. APPLICANT RESPONSIBILITY

A. SUBMISSION OF APPLICATIONS

Application for employment shall be accepted by designated LRGPWWA Human Resources staff member during normal business hours. Applicants shall be considered for position for which they have applied and are qualified. Applications must be submitted on the employment application form provided by the LRGPWWA or other form authorized by the LRGPWWA, within the advertised time period. The applicants shall be provided acknowledgement of submittal by the designated LRGPWWA Human Resources member.

6. PROOF OF QUALIFICATION

The applicant is responsible for furnishing proof of qualifications or possession of any license, certificate, or degree when these requirements are specified in the job description. Qualification exceptions and/or equivalences must be approved by the General Manager.

7. IMMIGRATION ACT COMPLIANCE

The applicant is responsible for furnishing proof of identification and right to work in accordance with the Immigration Reform and Control Act 1986 and any amendments thereto.

8. SELECTION

Interviewing and hiring an applicant shall be made in accordance with the LRGPWWA Personnel Policy and based on the following: job-related skills and competencies, educational background, related work-experience, personal interview performance, personal references, and results of pre-employment examinations. The designated LRGPWWA Human Resources member, the Department Manager and the General Manager or designee shall serve as an interview committee and shall oversee and conduct the interview process and maintain records of all interviews conducted by the LRGPWWA. The General Manager may reject applicants not meeting the minimum requirement, qualifications or selections not made in compliance with existing hiring practices and procedures.

A. EMPLOYMENT REFERENCE CHECKS

Personal references provided by the applicant may be contacted and interviewed. Prior employers shall also be contacted and interviewed.

B. CONDITIONAL OFFERS OF EMPLOYMENT

Background checks and drug screens may be conducted and used as part of the hiring process.

C. INELIGIBILITY FOR HIRE AND REHIRE

Applicants shall be considered ineligible for hire or rehire by the LRGPWWA if the applicant has knowingly made any false statement or omission on the employment application; and not met the requirements of the position. The fore mentioned list in not necessarily exhaustive and may not include all the reasons, which would make an applicant ineligible for hire or rehire.



LOWER RIO GRANDE

Public Water Works Authority

325 Holguin Road

Vado, New Mexico 88072

(575) 571-3628

General Manager Employment Contract

THIS CONTRACT is entered into this **16th** day of **October**, 2013, by and between the **Lower Rio Grande Public Water Works Authority** (“Authority”) and **Martin Lopez** (“Employee”). This contract defines the terms and conditions by which the Authority agrees to hire Employee and Employee agrees to work as General Manager for the Authority.

I. GENERAL PROVISIONS

A. **Contract Tenure:** This contract to hire Employee as General Manager shall commence on the **16th** day of **December**, **2013**. The contract shall have tenure of three years until **December 15, 2016**, unless otherwise terminated or extended.

B. **Contract Termination:** Should either party desire to terminate this contract prior to the actual termination date specified above, this contract may be terminated by either party notifying the other party in writing of the intent to terminate the contract. Such notice must be given in writing at least thirty (30) days prior to the effective termination date.

C. **Compensation:** The Authority agrees to pay the Employee an annual salary of **\$83,000.00**. The Authority shall evaluate Employee’s job performance no less than annually, and based on said review, may increase the salary and issue merit bonuses.

D. **Benefits of Employment:** During the term of this contract, Employee shall be allowed to participate in any health and medical benefits, retirement benefits, and any other employee benefits, on the same terms as all other Authority employees. He shall also be given the use of an Authority vehicle for his use in performing his duties as General Manager.

E. **Vacation and Leave Benefits:** During the term of this contract, Employee shall be entitled to vacation (annual) leave and sick as per the Authority’s employee policies.



LOWER RIO GRANDE

Public Water Works Authority

II. DUTIES OF GENERAL MANAGER:

A. General Manager of the Authority is an administrative position with the responsibility to act on behalf of the Board of Directors and shall be bonded at the Authority's cost for the handling of public funds.

B. Employee as General Manager shall be responsible for planning, implementing, directing and overseeing the daily activities of the Authority and carry out the priorities, policies and long-range plans set by the Authority's Board of Directors and direct the affairs of the utility on behalf on the Board. Employee as General Manager shall operate the Authority as a utility to ensure proper treatment of the water system and the operation of the wastewater system and ensure the proper financial operation of the Authority in compliance with state and federal requirements. Employee is hired by and answerable only to the Authority Board of Directors and shall supervise all other Authority staff. Any and all instructions, requests, or assignments from the Authority's Board of Directors to Employee shall be communicated only by the Chair (President) or person serving in his/her absence.

C. **Written Notices:** Any written notices provided in this contract shall be sent to the parties at the following addresses and shall be by certified mail:

Authority:
Lower Rio Grande Public
Water Works Authority
325 Holguin Road
Vado, NM 88072

Employee:
Martin G. Lopez
710 Juan Diego Ave
Las Cruces, NM 88001

D. **Amendment.** This Contract shall not be altered, modified, or amended except by instrument in writing executed by both parties.



LOWER RIO GRANDE
Public Water Works Authority

E. Law. This contract shall be governed by the laws of the State of New Mexico. Each person signing the Contract and/or authorizing such signing on behalf of his/her respective party is acting only in his/her official capacity on behalf of his/her respective party and is not personally liable, either jointly or severally, for this Contract under any circumstances.

F. Severability. If any part or application of this Contract is held to be invalid, the remainder, or its application to other situations or persons, shall not be affected.

By virtue of the affixed signatures, the parties to this contract hereby signify their approval and intent to comply with the provisions of this contract.

Martin G. Lopez, Employee/General Manager

Date: _____

Lower Rio Grande Public Water Works Authority
Roberto M. Nieto, Chairman

Date: _____

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
PROPOSED Safety Policy
October 16, 2013

Your safety is the constant concern of the Lower Rio Grande Public Water Works Authority. Every precaution has been taken to provide a safe workplace. There will be regular inspections and safety meetings by the Safety Officer. The Safety Officer also meets with management to plan and implement further improvements in our safety program. Common sense and personal interest in safety are still the greatest guarantees of your safety at work, on the road, and at home. We take your safety seriously and any willful or habitual violation of safety rules will be considered cause for dismissal. Lower Rio Grande Public Water Works Authority is sincerely concerned for the health and well-being of each member of the team.

The cooperation of every employee is necessary to make this company a safe place in which to work. Help yourself and others by reporting unsafe conditions or hazards immediately to your supervisor or to a member of the safety committee. Give earnest consideration to the rules of safety presented to you by poster signs, discussions with your supervisor, posted department rules, and regulations published in the safety booklet. Begin right by always thinking of safety as you perform your job, or as you learn a new one.

Accident reporting. Any injury at work—no matter how small—must be reported immediately to your supervisor and receive first aid attention. Serious conditions often arise from small injuries if they are not cared for at once. A first report of injury form will be filled out and provided to the Human Resource Specialist.

Specific safety rules and guidelines. To ensure your safety, and that of your coworkers, please observe and obey the following rules and guidelines:

- Observe and practice the safety procedures established for the job.
- In case of sickness or injury, no matter how slight, report at once to your supervisor. In **no** case should an employee treat his own or someone else's injuries or attempt to remove foreign particles from the eye.
- In case of injury resulting in possible fracture to legs, back, or neck, or any accident resulting in an unconscious condition, or a severe head injury, the employee is not to be moved until medical attention has been given by authorized personnel.
- Do not wear loose clothing or jewelry around machinery. It may catch on moving equipment and cause a serious injury.
- Never distract the attention of another employee, as you might cause him or her to be injured. If necessary to get the attention of another employee, wait until it can be done safely.
- Where required, you must wear protective equipment, such as goggles, safety glasses, masks, gloves, hair nets, etc.
- Safety equipment such as restraints, pull backs, and two-hand devices are designed for your protection. Be sure such equipment is adjusted for you.
- Pile materials, skids, bins, boxes, or other equipment so as not to block aisles, exits, firefighting equipment, electric lighting or power panel, valves, etc. **FIRE DOORS AND AISLES MUST BE KEPT CLEAR.**
- Keep your work area clean.

- Use compressed air only for the job for which it is intended. Do not clean your clothes with it and do not fool with it.
- Observe smoking regulations.
- Shut down your machine before cleaning, repairing, or leaving.
- Heavy equipment will only be used by trained staff. When using the back hoe a spot person is required. Do not exceed a speed that is safe for existing conditions.
- Running and horseplay are strictly forbidden.
- Do not block access to fire extinguishers.
- Do not tamper with electric controls or switches.
- Do not operate machines or equipment until you have been properly instructed and authorized to do so by your supervisor.
- Do not engage in such other practices as may be inconsistent with ordinary and reasonable common sense safety rules.
- Report any UNSAFE condition or acts to your supervisor.
- HELP TO PREVENT ACCIDENTS.
- Use designated passages when moving from one place to another; never take hazardous shortcuts.
- Lift properly—use your legs, not your back. For heavier loads, ask for assistance.
- Do not adjust, clean, or oil moving machinery.
- Keep machine guards in their intended place.
- Do not throw objects.
- Clean up spilled liquid, oil, or grease immediately.
- Wear hard sole shoes and appropriate clothing.
- Place trash and paper in proper containers and not in cans provided for cigarette butts.

Safety checklist. It's every employee's responsibility to be on the lookout for possible hazards. If you spot one of the conditions on the following list—or any other possible hazardous situation—report it to your supervisor immediately.

- Slippery floors and walkways
- Tripping hazards, such as hose links, piping, etc.
- Missing (or inoperative) entrance and exit signs and lighting
- Poorly lighted stairs
- Loose handrails or guard rails
- Loose or broken windows
- Dangerously piled supplies or equipment
- Open or broken windows
- Unlocked doors and gates

- Electrical equipment left operating
- Open doors on electrical panels
- Leaks of steam, water, oil, etc.
- Blocked aisles
- Blocked fire extinguishers, hose sprinkler heads
- Blocked fire doors
- Evidence of any equipment running hot or overheating
- Oily rags
- Evidence of smoking in non-smoking areas
- Roof leaks
- Directional or warning signs not in place
- Safety devices not operating properly
- Machine, power transmission, or drive guards missing, damaged, loose, or improperly placed

Safety equipment. Your supervisor will see that you receive the protective clothing and equipment required for your job. Use them as instructed and take care of them. You will be charged for loss or destruction of these articles only when it occurs through negligence.

Safety shoes. The company will designate which jobs and work areas require safety shoes. Under no circumstances will an employee be permitted to work in sandals or open-toe shoes.

A reliable safety shoe vendor will visit the company periodically. Notices will be posted prior to the visits.

Safety glasses. The wearing of safety glasses by all shop employees is mandatory. Strict adherence to this policy can significantly reduce the risk of eye injuries.

Seat belts. All employees must use seat belts and shoulder restraints (if available) whenever they operate a vehicle on company business. The driver is responsible for seeing that all passengers in front and rear seats are buckled up.

Good housekeeping. Your work location should be kept clean and orderly. Keep machines and other objects (merchandise, boxes, shopping carts, etc.) out of the center of aisles. Clean up spills, drips, and leaks immediately to avoid slips and falls.

Place trash in the proper receptacles. Stock shelves carefully so merchandise will not fall over upon customer contact.

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
Proposed – VEHICLE SAFETY & FLEET MANAGEMENT POLICY
October 16, 2013

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APPENDIX

- A. Vehicle Assignment Agreement
- B. Application Addendum For Employment Requiring Driving
- C. Guide For Preventable and Nonpreventable Accidents
- D. Vehicle Inspection Report
- E. Annual Driving Record Review
- F. Inquiry to State Agency for Driving Record
- G. Driver’s Certification of Violations

MOTOR VEHICLE SAFETY POLICY

1. Policy

Many employees operate LRGPWWA owned, leased, rental or personal vehicles as part of their jobs. Employees are expected to operate vehicles safely to prevent accidents which may result in injuries and property loss. It is the policy of Lower Rio Grande Public Water Works Authority (LRGPWWA) to provide and maintain a safe working environment to protect our employees and the citizens of the communities where we conduct business from injury and property loss. LRGPWWA considers the use of automobiles part of the working environment. LRGPWWA is committed to promoting a heightened level of safety awareness and responsible driving behavior in its employees. Our efforts and the commitment of employees will prevent vehicle accidents and reduce personal injury and property loss claims. This program requires the full cooperation of each driver to operate their vehicle safely and to adhere to the responsibilities outlined in the Motor Vehicle Safety Program. Elements of this program include:

- Assigning responsibilities at all levels of employment.
- Vehicle use and insurance requirements.
- Employee driver's license checks and identification of high risk drivers.
- Accident reporting and investigation.
- Vehicle selection and maintenance.
- Training standards.
- Safety regulations.

2. Responsibility

Management is responsible for successful implementation and on-going execution of this program. Supervisors and employees are responsible for meeting and maintaining the standards set forth in this program.

3. Scope

This policy applies to employees who operate vehicles on LRGPWWA business and will be reviewed by managers and supervisors to ensure full implementation and compliance.

Signed

Date

ORGANIZATION AND RESPONSIBILITIES

1. General Manager:

The general manager is responsible for directing an aggressive vehicle safety program.

2. Management will:

- A. Enforce the Motor Vehicle Safety Program in their areas of responsibility.
- B. Establish measurement objectives to ensure compliance with the program.
- C. Provide assistance and the resources necessary to implement and maintain the program.

3. Supervisors will:

- A. Investigate and report all accidents involving a motor vehicle used in performing LRGPWWA business. Forward all accident reports to the Vehicle Safety Coordinator.
- B. Be responsible for taking appropriate action to manage high risk drivers as defined by this program.
- C. Provide driver training either internally or through external means for high risk drivers.

4. Vehicle Safety Coordinator:

- A. Issue periodic reports of losses for the General Manager's review.
- B. Review motor vehicle accident reports.
- C. Revise and distribute changes to the Motor Vehicle Safety Program to managers, supervisors and drivers as necessary.
- D. Maintain appropriate records.

5. Drivers will:

- A. Always operate a motor vehicle in a safe manner as explained under the section titled, "Driver Safety Regulations".
- B. Maintain a valid driver's license and minimum insurance requirements on personal vehicles used in LRGPWWA business.
- C. Maintain assigned vehicles according to established maintenance standards.

VEHICLE USE

1. LRGPWWA Owned Vehicles

A. Passenger Cars

Employees authorized by their supervisors will be permitted to operate a passenger car.

B. Commercial Vans and Trucks

Employees with appropriate commercial driver's license (if required by the state), authorization from their supervisor and qualified by state and Federal DOT when applicable will be permitted to operate the vehicle.

2. Personal Vehicles on LRGPWWA Business

A. Employees who drive their personal vehicles on LRGPWWA business are subject to the requirements of this program including:

1. Maintaining auto liability insurance with minimum limits of \$25,000 for bodily injury and \$25,000 for property damage with combined single limit of \$50,000.
2. Maintain current state vehicle inspections when required.
3. Maintain their own vehicle in a safe operating condition when driven on LRGPWWA business.
4. Proof of insurance (copy of declaration page) will be sent to Vehicle Safety Coordinator.
5. Acceptable Motor Vehicle Report (MVR).
6. No 'business use' exclusion on personal insurance policy.

4. Unauthorized Use of Vehicles

Assigned drivers and other authorized employees will not allow an unauthorized individual to operate a LRGPWWA vehicle. No exceptions! Disciplinary action may be taken. Additionally, if unauthorized use results in an accident, the responsible employee will be required to make restitution for the damages.

5. Contractors and Temporary Hire Employees

Contractors and temporary employees will be treated as LRGPWWA employees and will comply with the requirements of this program. Failure to meet all requirements will result in the immediate loss of driving privileges.

DRIVER SELECTION / PERFORMANCE STANDARDS / MVR CHECKS

1. Driver Evaluation:

Employees will be evaluated and selected based on their driving ability. To evaluate employees as drivers, management will:

- A. Review past driving performance and work experience through previous employers reference checks. All new employees and current employees recently assigned to driving duties will be required to complete the "Application Addendum For Employment Requiring Driving".
- B. Review the employee's Motor Vehicle Record (MVR) maybe done annually.
- C. Ensure the employee have valid driver's license.
- D. Ensure the employee is qualified to operate the type of vehicle he/she will drive.

2. Driver Qualification:

Effective driver qualification controls are important elements of a successful motor vehicle safety program. Management developed and incorporated standards into this program, which reflect the skills necessary for satisfactory job performance while taking into consideration applicable Federal and state regulations.

- A. The LRGPPWA has implemented three levels of driver qualification criteria. Use of any or all of these criteria is dependent upon the nature and scope of the driving requirements.
 - 1. State-regulated driver qualification parameters must be met. Regulatory information will be obtained from applicable state departments of transportation and motor vehicle services.
 - 2. Where applicable, drivers will comply with DOT Commercial Driver License (CDL) regulations.
 - 3. Drivers involved in interstate or foreign commerce in vehicles with Gross Motor Vehicle Weight Rating (GMVR) of 10,001 pounds or more, designed to transport 16 or more passengers, including the driver, or used in the transportation of hazardous materials in a quantity requiring placarding under the DOT Hazardous Materials Regulations, are subject to the requirements of the DOT Federal Highway Administration's Federal Motor Carrier Safety Regulations.

4. Drivers involved in intra or interstate operations with GMVR of 26,001 pounds or more must have a CDL license and be enrolled in a DOT Drug and Alcohol Testing Program.
- B. The following criteria was established to identify high risk drivers. A driver is unacceptable if the driver's accident/violation history in the past year includes one or more of the following moving violation convictions:
1. Driving under the influence of alcohol or drugs (DWI).
 2. Hit and run.
 3. Failure to report an accident.
 4. Negligent homicide arising out of the use of a motor vehicle.
 5. Operating during a period of suspension or revocation.
 6. Using a motor vehicle for the commission of a felony.
 7. Operating a motor vehicle without the owner's authority.
 8. Permitting an unlicensed person to drive.
 9. Reckless driving.
 10. Two preventable accidents in a 12 month period.

Drivers who are identified as high risk or in violation may be subject to several actions from management including, but not limited to:

1. Driver may be required to attend a Defensive or Safety Driving course on their own time & expense.
2. Driver may be required to operate their own personal vehicle on LRGPWWA business.
3. Driver may have their driving privileges suspended or revoked.

ACCIDENT RECORDKEEPING, REPORTING AND ANALYSIS

1. LRGPWWA considers elimination of motor vehicle accidents as a major goal. To meet this objective, all accidents will be reported to management, investigated, documented and reviewed by the Vehicle Safety Coordinator. The investigation identifies need for:
 - A. A more intensive driver training and/or remedial training.
 - B. Improved driver selection procedures.
 - C. Improve vehicle inspection and/or maintenance activities.
 - D. Changes in traffic routes.
2. Motor vehicle accident recordkeeping procedures consist of the following components:
 - A. Documentation of causes and corrective action.
 - B. Management review to expedite corrective action.
 - C. Analysis of accidents to determine trends, recurring problems and the need for further control measures.
3. Responsibility:

Implementation of these procedures remains the responsibility of both the driver and manager.

 - A. Driver

Since the driver is the first person at the accident scene, he/she will initiate the information-gathering process as quickly and thoroughly as is feasible.
 - B. Management

Management will obtain accident data from the driver through the Transportation Accident Report form and/or by verbal communication. It is important for management to determine the extent of the accident, especially if it involves injury or death to the driver, passengers, or other parties.
 - C. Management will immediately proceed with a formal investigation to determine the underlying causes as well as what can be done to prevent similar occurrences. The accident report will be forwarded to the insurance claims office along with any additional support data (e.g., witness statements, photographs, police reports, etc.).
4. Driver Participation In Repair Costs:

If a vehicle is involved in an accident which is determined preventable, driver reimbursement to the LRGPWWA should be as follows:

 - A. The first 50% of the repair cost, up to a maximum reimbursement of \$250 per accident, if the vehicle is repairable, will be charged back to the driver.
 - B. If the vehicle is a total loss, the driver will be charged \$250.
5. Preventable/Non-Preventable Accidents:

The following definitions relate to motor vehicle accidents:

- A. A motor vehicle accident is defined as "any occurrence involving a motor vehicle which results in death, injury or property damage, unless such vehicle is properly parked. Who was injured, what property was damaged and to what extent, where the accident occurred, or who was responsible, are not relative factors".
- B. A preventable accident is defined as "any accident involving the vehicle, unless properly parked, which results in property damage or personal injury and in which the driver failed to do everything he/she reasonably could have done to prevent or avoid the accident".

NOTE 1: A properly parked motor vehicle is one that is completely stopped and parked where it is legal and prudent to park such a vehicle or to stop to load/unload property. Vehicles stopped to load/unload passengers is not considered parked.

NOTE 2: Parking on private property will be governed by the same regulations that apply on public streets and highways. A vehicle stopped in traffic in response to a sign, traffic signal or the police is not considered parked.

NOTE 3: See attached "Guide For Preventable and Nonpreventable Accidents" in Appendix.

EMPLOYEE ACCIDENT REPORTING PROCEDURE

Employees will take the following actions when there are injuries to persons and/or damage to other vehicles or property:

1. If possible, move the vehicle to a safe location out of the way of traffic. Call for medical attention if anyone is hurt.
2. Secure the names and addresses of drivers and occupants of any vehicles involved, their operator's license numbers, insurance LRGPPWA names and policy numbers, as well as the names and addresses of injured persons and witnesses. Record this information on the Accident Report form (in the reporting packet). Do not discuss fault with, or sign anything for anyone except an authorized representative of LRGA, a police officer.
3. Immediately notify the Vehicle Safety Coordinator. If any injuries were involved and the Vehicle Safety Coordinator is not available, contact your supervisor immediately.
4. You will be contacted by the Vehicle Safety Coordinator to advise you how to arrange for repairs to the vehicle. Do not have the vehicle repaired until you receive authorization from the Vehicle Safety Coordinator.

When there is theft of or damage to your vehicle only:

1. If you did not witness the damage to the vehicle, you must notify the local police department immediately.
2. Immediately notify Vehicle Safety Coordinator.
3. You will be contacted by the Vehicle Safety Coordinator to advise you how to arrange for repairs or replacement of the vehicle. Do not have the vehicle repaired until you receive authorization from the Vehicle Safety Coordinator.
4. Send a copy of the police report along with a memo outlining any additional information to the Vehicle Safety Coordinator.

Vehicle Safety Coordinator

All vehicle collisions should be analyzed, and a written report submitted to management for review. A determination of accident preventability should be made. Where the collision was preventable by the LRGPWWA driver, the driver should be counseled, given additional training, given time off without pay, placed on probation, transferred to non-driving duties, disciplined in other ways, or employment (or services for independent contractors) terminated according to corporate, union, and governmental guidelines.

However, this does not absolve management from improving safety of the work and driving environment. The Vehicle Safety Coordinator, drivers and management personnel should each participate in the analysis. Management deficiencies and/or lack of management action should also be part of the accident review. Management has the legal obligation not only for driver safety but the safety of the general public as well.

The attached material, "Guide For Preventable and Nonpreventable Accidents", will be used as a guide for this determination.

The Vehicle Safety Coordinator will take the appropriate steps and communicate the results to the affected driver and supervisor.

VEHICLE SELECTION, INSPECTION AND MAINTENANCE

1. Introduction:

Proper selection and maintenance of equipment are important aspects of this program. Reduced operational costs and accidents from vehicle defects are the direct result of a well implemented maintenance policy.

2. Vehicle Selection:

Selection of vehicles begins with understanding the wrong equipment can result in excessive breakdowns, create hazards to personnel, incur costly delays and contribute to poor service and customer complaints. LRGPWVA will purchase vehicles designed for their intended use.

3. Vehicle Inspection:

The employee responsible for the vehicle will inspect the vehicle semi-annually using the Vehicle Inspection Report form (see appendix) and forward the report to the Vehicle Safety Coordinator. More frequent inspections and reports may be required based on heavy use.

4. Vehicle Maintenance:

Vehicle maintenance can take the form of three distinct programs: preventive maintenance, demand maintenance, and crisis maintenance. While all three types have their role in the Motor Vehicle Safety Program, the most cost effective control is preventive maintenance. The groundwork for a good preventive maintenance program starts with management. A review of manufacturer's specifications and recommendations for periodic preventive maintenance should be integrated with the actual experience of the vehicles.

- A. Preventive maintenance (PM) is performed on a mileage or time basis. Typical PM includes oil/filter changes, lubrication, tightening belts and components, engine tune-ups, brake work, tire rotation, hose inspection/replacement and radiator maintenance.
- B. Demand maintenance is performed only when the need arises. Some vehicle parts are replaced only when they actually fail. These include light bulbs window glass, gauges, wiring, air lines, etc. Other "demand maintenance" items involve vehicle components that are worn based on information from the vehicle condition report. These include tires, engines, transmissions, universal joints, bushings, batteries, etc. Since these situations are identified through periodic vehicle inspection, they can actually be classified within the PM program.

C. Crisis maintenance involves a vehicle breakdown while on the road. While situations of this type may happen regardless of the quality of the PM program, it is an expensive alternative to not having an effective preventive maintenance program at all. Crisis maintenance situations should be minimized through proper PM procedures.

5. Recordkeeping:

LRGPWWA's vehicle selection, inspection and maintenance program is only as good as its recordkeeping procedures. Employees will forward all vehicle maintenance records for maintenance performed to the Vehicle Safety Coordinator.

DRAFT

DRIVER TRAINING

1. Drivers hired by LRGPWWA to operate a motor vehicle will have the basic skills and credentials necessary to perform this function as confirmed through the driver selection process.
2. New employees, contractor, and temporary hires will receive a copy of this program as part of their initial orientation. A formal orientation program is established to help assure all drivers are presented with the LRGPWWA policy, understand their responsibilities and are familiarized with their vehicle. Areas that must be addressed, with the driver, include:
 - a. Understand, review and given a copy of the Fleet Safety Program.
 - b. Understand and sign the Vehicle Assignment Agreement.
 - c. Review individual Motor Vehicle Report (MVR).
 - d. Understand accident reporting & emergency procedures.
 - e. Review operation and controls of vehicle being assigned.
 - f. Inspect vehicle using Vehicle Inspection Form.

3. License Suspension:

Drivers must notify the Vehicle Safety Coordinator if their license is suspended or revoked.

4. Remedial Training:

Drivers may be required to attend a safe driving school (National Safety Council Defensive Driving course of equivalent) or an alcohol/drug abuse program on their own time and at their own expense if a review of the driver's MVR indicates:

- A. One or more violation convictions within any one-year period, or
- B. A conviction for driving while under the influence of alcohol or drugs.

Also, depending on the severity of the conviction, the employee's driving privileges may be revoked and/or may result in employment termination.

DRIVER SAFETY REGULATIONS

1. Safety Belts:

The driver and all occupants are required to wear safety belts when the vehicle is in operation or while riding in a vehicle. The driver is responsible for ensuring passengers wear their safety belts. Children under four years of age or under 40-pounds in weight must be secured in a DOT approved child safety seat.

2. Impaired Driving:

The driver must not operate a vehicle at any time when his/her ability to do so is impaired, affected, influenced by alcohol, illegal drugs, prescribed or over-the-counter medication, illness, fatigue or injury.

3. Traffic Laws:

Drivers must abide by the federal, state and local motor vehicle regulations, laws and ordinances. This includes parking laws. (unless you have a handicap permit do not park in designated handicap parking spaces)

4. Safety Flashers:

Safety flashers must be used on all vehicles making frequent stops.

5. Vehicle Condition:

Drivers are responsible for ensuring the vehicle is maintained in safe driving condition.

6. Cellular Telephones, Walkmans and Pagers:

The following procedures apply to employees driving on LRGPPWA business who wish to use cellular telephones in the vehicle.

- A. External speaker and microphone must be included to allow hands-free operation.
- B. Phone number memory and programming capabilities are to be included.
- C. Drivers are to refrain from placing outgoing calls or responding to pagers while the vehicle is in motion.
- D. Incoming calls should be limited.
- E. For any vehicle equipped with cellular telephone that does not meet the above equipment specifications, use of the telephone/pager is authorized when the vehicle is safely parked.

7. Motorcycles:

Employees are prohibited from using motorcycles when traveling on LRGPWWA business.

8. General Safety Rules:

Employees are not permitted to:

- A. Pick up hitchhikers.
- B. Accept payment for carrying passengers or materials.
- C. Use any radar detector, laser detector or similar devices.
- D. Push or pull another vehicle.
- E. Transport flammable liquids or gases unless a DOT or Underwriters' Laboratories approved container is used, and only then in limited quantities.
- F. Use of burning flares will be discouraged. The preferred method is the use of reflective triangles.
- G. Assist disabled motorists or accident victims beyond their level of medical expertise. If a driver is unable to provide the proper medical care, he/she must restrict his/her assistance to calling the proper authorities. Your safety and well being is to be protected at all times.

9. LRGPWWA and Personal Property:

Employees are responsible for LRGPWWA property such as computers, work papers and equipment under their control. LRGPWWA will not reimburse the employee for stolen personal property.

APPENDIX

Forms/Attachments

- A. Vehicle Assignment Agreement
- B. Application Addendum For Employment Requiring Driving
- C. Guide For Preventable and Nonpreventable Accidents
- D. Vehicle Inspection Report
- E. Annual Driving Record Review
- F. Inquiry to State Agency for Driving Record
- G. Driver's Certification of Violations

VEHICLE ASSIGNMENT AGREEMENT

The undersigned hereby acknowledges receipt of a LRGPWWA-owned or leased automobile. I understand this vehicle is to be regularly maintained and serviced, according to the service schedule outlined in the Owner's Manual or the instructions issued by the Vehicle Safety Coordinator, whichever is appropriate.

Further, it is agreed this vehicle will be operated in a safe manner. I agree to wear my seat belt whenever the vehicle is in motion and will require other occupants to do so. I agree to be responsible for all traffic and parking violations that occur while the vehicle is assigned to me.

I understand articles of this agreement apply regardless of who is operating this vehicle. I may authorize others to drive this vehicle according to the following guidelines:

- Licensed employees of LRGA or its subsidiaries or affiliates.
- Other licensed drivers as I so designate in emergency situations only.

I agree to promptly report all accidents or incidents resulting in injury or damage to the vehicle or other property, no matter how slight.

¹

I understand I am required to maintain a valid driver's license. Further, I herewith grant LRGA the right to investigate my motor vehicle driving record any time. My current driver's license is issued from the State of _____ and is No. _____.

If my driving record contains two moving violations within one-year period, my record will be brought up before the Vehicle Safety Coordinator for consideration of remedial training and/or loss of driving privileges.

I will be required to attend a safe driving class on my own time and at my expense, and to provide the Vehicle Safety Coordinator with confirmation of attendance within thirty days of notification if decided.

I understand I am not to modify the vehicle in any way without written permission. This specifically applies to the installation of cellular telephones, radios, CBs, speakers, etc. Further, I will not take this vehicle out of the United States without written permission from the Vehicle Safety Coordinator.

I agree to reimburse the LRGPWWA for damages done to this vehicle because of my negligence. In the event of an accident, which has been determined to have been my fault by citation, traffic court conviction, by my own admission, or determination by management, I recognize that I am responsible for the first 50% of the repair cost, up to a maximum reimbursement of \$250 per accident, if the vehicle is repairable. If the vehicle is a total loss, I agree to be responsible for \$250 as reimbursement for the loss.

¹ Appendix A

I understand the operation of this vehicle in a safe operating condition is my responsibility. If this vehicle becomes unsafe, it is my responsibility to notify my supervisor immediately.

I read and agree to the provisions of this Vehicle Assignment Agreement and the requirements of the Motor Vehicle Safety Program.

SIGNATURE **DATE**

VEHICLE ASSIGNED: _____
VIN NUMBER: _____
PLATE NUMBER: _____
MILEAGE: _____

DRAFT

APPLICATION ADDENDUM FOR EMPLOYMENT REQUIRING DRIVING

COMPANY _____

ADDRESS _____

NAME _____ PHONE: (_____) _____
 First Middle Last

DRIVER LICENSES: (list all licenses held in past 3 years and indicate those that are current)

<u>STATE</u>	<u>LICENSE NUMBER</u>	<u>CLASS</u>	<u>ENDORSEMENT(S)</u>	<u>EXPIRATION</u>

Have you ever been denied, or had revoked or suspended any license, permit, or privilege to operate a motor vehicle? Yes _____ No _____

If you answered YES to the above questions, give details: (if additional space is needed, attach sheet)

TRAFFIC CONVICTIONS AND FORFEITURES FOR PAST 3 YEARS: (Other than parking)

<u>LOCATION</u> <u>(CITY & STATE)</u>	<u>DATE</u>	<u>CHARGE</u>	<u>PENALTY</u>

DRIVING EXPERIENCE:

<u>CLASS OF EQUIPMENT</u>	<u>DATES</u> <u>FROM</u> <u>TO</u>	<u>APROX. NO. OF TOTAL MILES</u>
Automobile _____		
Van/Pickup _____		
Truck/Tractor _____		
Bus _____		
Other (Specify) _____		

² Appendix B

ACCIDENT RECORD FOR PAST 3 YEARS: (if additional space is needed, attach sheet)

<u>DATE</u>	<u>LOCATION</u>	<u>NATURE OF ACCIDENT</u>	<u>FATALITIES</u>	<u>INJURIES</u>

GENERAL:

Have you ever been convicted of a felony? Yes _____ No _____

Have you ever been refused bond Yes _____ No _____

If you answered YES to either question, give details: (if additional space is needed, attach sheet)

LIST SPECIAL TRAINING RELATED TO TRANSPORTATION:
(If additional space is needed, attach sheet)

TO BE READ AND SIGNED BY APPLICANT:

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge. I understand that, if hired, any misrepresentation of information in this application is cause for immediate dismissal. I authorize LRGGA to investigate my background to ascertain all information of concern to my employment history, whether same is of record or not, and release those providing such information from all liability for any damages resulting from furnishing this information. Further, I understand that I may be asked to demonstrate my ability to perform the essential functions necessary to complete the job and, if offered the job, that it may be conditioned on results of a physical examination, and controlled substances and alcohol misuse test.

DATE _____ APPLICANT'S SIGNATURE _____

GUIDE FOR PREVENTABLE OR NONPREVENTABLE ACCIDENTS

An accident is preventable if the driver could have done something to avoid it. Drivers are expected to drive defensively. Which driver was primarily at fault, who received a traffic citation, or whether a claim was paid has absolutely no bearing on preventability. If there was anything the driver could have done to avoid the collision, then the accident was preventable.

An accident is nonpreventable when the vehicle was legally and properly parked, or when properly stopped because of a law enforcement officer, a signal, stop sign, or traffic condition.

If a stationary object is struck, then it is usually a preventable incident. If the driver rear-ends another vehicle then it is usually a preventable incident. It should be noted there are exceptions to any rule, but they are just that - exceptions!

It should be the objective of any person discussing or judging accidents to obtain as many facts as possible and to consider all conceivable conditions. Adverse weather conditions, actions of other drivers, or other such excuses must not influence the judgment of preventability. If procedures, scheduling, dispatching, or maintenance procedures out of the control of the driver were found to be factors, that should be taken into account. LRGPWWA must take responsibility for the work environment and recognize that drivers cannot control some aspects. It is critical that drivers have the ability to refuse to operate an unsafe vehicle without reprisal from management.

Professional drivers are expected to drive in a manner which allows them to avoid conflicts when they arise. Whether a driver has a 25-year safe driving record, or started driving the day before has no bearing on whether an accident is or is not preventable. Taking a fair attitude does not mean leniency. If an accident is judged nonpreventable and the drivers know the accident could have been avoided, they will lose respect for the safety program.

³ Appendix C

QUESTIONS TO CONSIDER - GENERAL

When judging or discussing preventable accidents, these are some questions to consider:

1. Does the report indicate that the driver considers the rights of others or is there evidence of poor driving habits which need to be changed?
2. Does the report indicate good judgment? Such phrases as "I did not see," "I didn't think," "I didn't expect," or "I thought" are signals indicating there is something wrong. An aware driver should think, expect, and see hazardous situations in time to avoid collisions.
3. Was the driver under any physical handicap which could have been contributory? Did the accident happen near the end of a long and/or hard run? Does the driver tend to overeat? Did the driver get sufficient sleep before the trip? Is the driver's vision faulty?
4. Was the vehicle defective without the driver's knowledge? A gradual brake failure, a car which pulls to the left or right when the driver applies the brakes, faulty windshield wipers, and similar items are excuses, and a driver using them is trying to evade responsibility. Sudden brake failure, loss of steering, or a blowout may be considered defects beyond the driver's knowledge; however, the inspection and maintenance program should work to prevent these hazards.
5. Would taking a route through less congested areas reduce the hazardous situations encountered?

QUESTIONS TO CONSIDER

SPECIFIC TYPES OF ACCIDENTS

Intersection Collisions

Failure to yield the right-of-way, regardless of stop signs or lights, is preventable. The only exception to this is when the driver is properly proceeding at an intersection protected by lights or stop signs and the driver's vehicle is struck in the extreme rear, side, or back.

Regardless of stop signs, stop lights, or right-of-way, a professional driver should recognize that the right-of-way belongs to anyone who assumes it and should yield accordingly. In addition, a professional driver is expected to know the turning radius of the vehicle and be able to avoid damaging others. These accidents are normally considered preventable.

1. Did the driver approach the intersection at a speed safe for conditions?
2. Was the driver prepared to stop before entering the intersection?
3. At a blind corner, did the driver pull out slowly, ready to apply the brakes?
4. Did the driver operate the vehicle correctly to keep from skidding?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

Sideswipes

Sideswipes are often preventable since drivers should not get into a position where they can be forced into trouble. A driver should pass another vehicle cautiously and pull back into the lane only when he or she can see the other vehicle in the rearview mirror. A driver should also be ready to slow down and let a passing vehicle into the lane. A driver should not make a sudden move that may force another vehicle to swerve. Unless the driver is swerving to avoid another car or a pedestrian, sideswiping a stationary object is preventable.

Drivers are expected to be able to gauge distances properly when leaving a parking place and enter traffic smoothly.

A driver is expected, whenever possible, to anticipate the actions of an oncoming vehicle. Sideswiping an oncoming vehicle is often preventable.

The doors of a vehicle should never be opened when it is in motion, and should not be opened on the traffic side, unless clear of traffic, when it is parked.

A parked vehicle can be seen from a sufficient distance; therefore, the operator of an approaching vehicle should be prepared in case the doors of the parked vehicle are opened. This type of accident is nonpreventable only when the door is opened after the driver has passed it.

1. Did the driver look to front and rear for approaching and overtaking traffic immediately before starting to pull away from the curb?
2. Did the driver signal before pulling away from the curb?
3. Did the driver look back rather than depend only upon rearview mirrors?
4. Did the driver start into traffic only when this action would not require traffic to change its speed or direction in order to avoid his or her vehicle?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

Skidding

Many skidding conditions are caused by rain, freezing rain, fog, and snow, which all increase the hazard of travel. Oily road film, which builds up during a period of good weather, causes an especially treacherous condition during the first minutes of a rainfall.

Loss of traction on a grade can be anticipated, and these accidents usually are preventable. Chains or other suitable traction devices should be used, if they are available.

1. Was the driver operating at a safe speed considering weather and road conditions?
2. During inclement weather was the driver keeping at least twice the safe following distance used for dry pavement?
3. Were all actions gradual?
4. Was the driver anticipating ice on bridges, gutters, ruts, and near the curb?
5. Was the driver alert for water, ice or snow in shaded areas, loose gravel, sand, ruts, etc.?
6. Did the driver keep out of other vehicle tracks or cross them at wide angles?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

Pedestrian and Animal Collision

All types of pedestrian accidents, including collision with pedestrians coming from between parked cars, are usually considered preventable. There are few instances where the action of pedestrians is so unreasonable that the operator could not be expected to anticipate such an occurrence.

Collisions with animals are normally preventable, unless the movement on the part of an animal was unusual and unexpected. This is also taking into consideration the fact that the driver was aware of animals in the vicinity.

1. Did the driver go through congested sections expecting that pedestrians would step in front of the vehicle?
2. Was the driver prepared to stop?
3. Did the driver keep as much clearance between his or her vehicle and parked vehicles, as safety permitted?
4. Did the driver stop when other vehicles has stopped to allow pedestrians to cross?
5. Did the driver wait for the green light or stop for the caution light?
6. Was the driver aware of children and prepared to stop if one ran into the street?
7. Did the driver give all pedestrians the right-of-way?
8. Did the driver stop for a school bus which was stopped and properly signaling that passengers were loading or unloading?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

Parked or Stopped

Accidents occurring when vehicles are properly and legally parked are considered nonpreventable. Accidents occurring while the vehicle was double parked or in a "No Parking" zone are preventable.

1. Was the vehicle parked on the proper side of the road?
2. Was it necessary to park near the intersection?
3. Did the driver have to park on the traveled part of the highway, on the curve, or on the hill?
4. When required, did the driver warn traffic by emergency warning devices?
5. Did the driver park parallel to the curb?
6. Was it necessary to park so close to an alley or directly across from a driveway?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

Noncollision Vehicle Damage, Mechanical Failure, and Miscellaneous Problems

The accident should be considered preventable if the investigation shows a mechanical defect of which the driver was aware, a defect the driver should have found by inspecting the vehicle, or the driver caused by rough and abusive handling.

When a mechanical failure is sudden or unexpected, not resulting from abuse or ordinary wear, it may be considered nonpreventable. Bad brakes should not be considered a mechanical failure unless the failure was sudden and the driver could have had no previous knowledge of the condition. However, this type of failure cannot excuse a driver who does not know how to properly pre-trip inspect the vehicle or is too lazy to do the inspection correctly.

It is a driver's responsibility to keep the cargo in mind and be aware of any sudden vehicle movements which may cause damage to the cargo. Driving off the highway to avoid a collision may be preventable. Drivers should try not to place themselves in such a position. "U" turns are a monkey wrench in the smooth flow of traffic. Accidents which occur while this maneuver is attempted are considered preventable.

1. Could the driver have done anything to avoid the accident?
2. Was the driver's speed safe for conditions?
3. Did the driver obey all traffic signals?
4. Was the driver's vehicle under control?
5. Did the driver follow the routing and delivery instructions?

**IF THE ANSWER TO ANY QUESTION IS NO,
THE DRIVER WAS NOT DRIVING DEFENSIVELY AND IS RESPONSIBLE.**

VEHICLE INSPECTION REPORT

This report is due each month. A separate report must be completed for each unit. After completion this report should be forwarded to: Vehicle Safety Coordinator.

Date: _____
Vehicle unit number: _____ License number: _____ Mileage: _____
Branch and Department number: _____ Driver: _____
Reporting office: _____ Department: _____
Year: _____ Make: _____ Model: _____
Serial number: _____

4 cylinder 6 cylinder _____ other Cruise Tilt wheel

INSPECT AND CHECK ONE:

Lights

Head:	<input type="checkbox"/> OK	<input type="checkbox"/> Out	Back-up:	<input type="checkbox"/> OK	<input type="checkbox"/> Out
Parking:	<input type="checkbox"/> OK	<input type="checkbox"/> Out	Side:	<input type="checkbox"/> OK	<input type="checkbox"/> Out
Tail:	<input type="checkbox"/> OK	<input type="checkbox"/> Out	Flashers:	<input type="checkbox"/> OK	<input type="checkbox"/> Out
Directional:	<input type="checkbox"/> OK	<input type="checkbox"/> Out			

Tires

Front left:	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor	Front right:	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor
Rear left:	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor	Rear right:	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor
Conventional spare:	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor	Snow tires:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Mini spare:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Good	<input type="checkbox"/> Fair	<input type="checkbox"/> Poor		

Note and explain uneven wear: _____

Brakes

Check for master cylinder leaks. If unusual conditions, explain: _____

Check brake pedal: High Low

Comments:⁴ _____

Check brake fluid: Full Low

⁴ Appendix D

Exterior

- Paint, overall condition: Good Fair Poor
Chrome, overall condition: Good Fair Poor
Glass, overall condition: No damage Damage

Explanation of overall exterior condition: _____

Nonstandard ornamentation or equipment? (decals, trailer hitch, etc.) Yes No

If "Yes," describe: _____

Exterior damage? Yes No

If "Yes," note and explain estimated cost of repairs: _____

If "Yes," was claim submitted? Yes No

If "No," why not: _____

Interior

- Overall appearance: Clean Worn Dirty
Condition of seats: Good Springs broken Sagging
Condition of upholstery: Clean Worn Dirty Torn Burn holes
Condition of carpets: Clean Worn Dirty Torn
Floor mats: Yes No
Windshield wipers: Good Fair Poor
Knobs, handles, etc.: Good Broken Missing

Accessories:

- Flash light: Yes No
Horn working: Yes No
Safety belts: Working Nonworking
Windshield scraper: (if applicable) Yes No
Rear window defroster: Working Nonworking
Accident report kit: Yes No
Driver's manual: Yes No

Condition of trunk: Clean Dirty

Accessories:

- Jack: Yes No
Handle and base: Yes No
Lug wrench: Yes No
Flares or reflectors (2-6): Yes No

Under Hood

Engine: Clean Dirty

Note apparent leakage: _____

Engine oil: Full Low
Condition: _____

Mileage of last oil change: _____ Mileage of last filter change: _____
Mileage of last lubrication: _____

Windshield washer fluid: Full Low
Battery water level: Full Low
 Nonfillable: Yes No
Transmission fluid condition: Full Low Color: Red Black
Power steering fluid: Full Low

Overall Rating of Car

Excellent Good Fair Poor

Driver's comments: _____

Inspector's comments and recommendations: _____

Inspector's signature: _____
Branch/Fleet Coordinator signature: _____
Driver's signature: _____
Scheduled completion date of corrective action: _____

**Lower Rio Grande Public Water Works Authority
Fleet Safety Program
Inquiry to State Agency For
Driver's Record**

(Drivers Name)

(Driver's Operators Lic. No.)

(Driver's Social Sec. No.)

Dear _____:

The above mentioned individual has made application with us for employment as a driver. Applicant has indicated that the above numbered operator's license or permit has been issued by your state to applicant and that it is in good standing.

In accordance with our Fleet Safety Program, we are required to make inquiry into the driving record during the preceeding 1 year of every state in which the applicant-driver has held a motor vehicle operator's license during that time.

Therefore, please certify to us what the individual's driving record is for the preceeding 1 year, or certify that no record exists if that be the case.

In the event that this inquiry does not satisfy your requirements for making such inquiries, please send us such forms of yours necessary for us to complete our inquiry into the driving record of this individual.

Respectfully yours,

Signature of Individual making inquiry

Printed Name

Title of Person Making Inquiry

Appendix F

