

**A G E N D A**  
**CITY OF AZTEC**  
**CITY COMMISSION WORKSHOP**  
**March 28, 2017**  
**201 W. Chaco, City Hall**  
**5:00 p.m.**

**5:00-6:00**

Annual Performance Plan FY 2018

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**ATTENTION PERSONS WITH DISABILITIES:** The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

**Note:** A final agenda will be posted 72 hours prior to the meeting. Copies of the agenda may be obtained from City Hall, 201 W. Chaco, Aztec, NM 87410.

# Annual Work Plan FY2018

## Goal 1

A safe, clean, livable community with a sense of pride, quality housing, and strong identity.

### North Main (Phase 1)

*Description:* Bid and construction of Phase 1 which includes plaza area, bus stop, and street/median adjacent and in front of plaza.

*Status:* In progress

*Completion Date:* June 2017

*Notes:* Bid to go out in November. Awarded in December. Construction to begin in spring of 2017.

### Airport Apron

*Description:* Reconstruction of airport apron.

*Status:* In progress

*Completion Date:* May 2017

*Notes:* Project has been awarded to Old castle SW Group, but due to asphalt plant close down for the winter season, the contractor will not begin project until spring of 2017.

### Street Sweeping Policy & Implementation

*Description:* 1. Develop plan of action (policy).  
2. Implement the policy.

### Affordable Housing

*Description:* Investigate affordable housing:  
1. Inventory what exists.  
2. Determine what is considered affordable.

### Street Maintenance

*Description:* 1. Update main plan for chip sealing, repair of pot holes, etc.  
2. Street markings (striping, crosswalks, signage).

## Police Staffing

*Description:* 1. Increase police presence on street.  
2. Increase school zone safety.

## Goal 2 High quality, cost-effective public services.

## Utility Rate Study

*Description:* Complete utility rate study.

*Status:* In progress

*Completion Date:* December 2016

*Notes:* Contract was awarded in August 2016 to Rafftelis Financial Consultants. The timeline for completion is the end of this calendar year with the ability to implement a new rate structure in January 2017.

## Solid Waste Collection

*Description:* Select new solid waste contractor for refuse and recycling.

*Status:* In progress

*Completion Date:* December 2016

*Notes:* Bid has closed and two potential solid waste collection companies submitted bids which have been evaluated. Discussion between the companies and evaluating team will be underway soon.

## Sanitary Sewer Interceptor

*Description:* Complete construction of sewer sanitary interceptor.

*Status:* In progress

*Completion Date:* May 2017

*Notes:* Contract was awarded to Smithco Construction in May 2016. Construction was begun at wastewater plant and proceeding eastward. Currently the contractor is at Western Drive.

## Waste to Energy

*Description:* Continue to pursue the option of waste to energy.

## Sewer Laterals

*Description:*

1. Inventory sewer line conditions.
2. Develop maintenance/replacement (R & R) plan.

## Sewer Connections

*Description:*

1. Determine what septic systems need to be connected to sewer main system.

## Goal 3 Progressive and responsible economic development.

## Update Economic Development Strategy

*Description:*

1. Develop an economic plan.
2. Implement plan.

## HUB Incubator Goals

*Description:*

1. Establish goals for HUB membership.
2. Establish business graduations.

## Metropolitan Redevelopment Area (MRA) Program

*Description:*

1. Utilize MRA (how to revitalize main street).

**Goal 4**  
**Long term financial stability and stewardship of public funds.**

**Long Term Employment Plan**

*Description:* 1. Develop plan to secure long term employment with city employees.

**Goal 5**  
**Effective local and regional partnerships.**

**School Safety**

*Description:* 1. Increase school zone safety.

**School Solar Project**

*Description:* 1. Partner with school district to ensure successful solar projects.

**Cross Training**

*Description:* 1. Fire department cross training.

**Goal 6**  
**Environmentally sensible practices.**

**Waste to Energy**

*Description:* Continue to pursue the option of waste to energy.

**Recycling**

*Description:* Investigate remote recycling locations (e.g. parks).

**LED Lighting**

*Description:* Distribution of LED lighting throughout the city.

**Goal 7**  
**Resources and opportunities that enhance quality of life.**

**Maintenance of Parks**

*Description:* Ensure hazards are mitigated (tree limbs, walking surfaces, etc).

**Goal 8**  
**A work environment that develops and encourages employees; rewards their creativity & innovation.**

**Employee Recognition**

*Description:*

1. Seek award programs that are regional or state.
2. Publicize/advertise employees who have been awarded.
3. Financial rewards.

**Goal 9**  
**Government practices that encourage citizen involvement.**

**Public Outreach**

*Description:*

1. Send out draft agendas to media;
2. Explore TC broadcasting of commission meetings.

**Trail Development**

*Description:*

1. Partner and develop plan/goals with ATOS for trail development.

**Proactive Volunteer Program**

*Description:*

1. Seek new / proactive volunteer programs.

**Town Hall Meetings**

*Description:*

1. Determine how to obtain better participation at town hall meetings.
2. Establish town hall meetings.

## Youth Participation

*Description:*

1. Determine how to get youth more involved in public meetings/input.
2. Have City Commission more involved in meeting with youth groups.
3. Establish an avenue to connect with youth social outlets/media.

**A G E N D A**  
**CITY OF AZTEC**  
**CITY COMMISSION MEETING**  
**March 28, 2017**  
**201 W. Chaco, City Hall**  
**6:00 p.m.**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

**V. AGENDA APPROVAL**

**VI. PRESENTATION**

Aztec Boys and Girls Club

**VII. CITIZEN RECOGNITION**

**VIII. EMPLOYEE RECOGNITION**

**IX. CONSENT AGENDA**

- A. Commission Workshop Meeting Minutes, March 14, 2017
- B. Commission Meeting Minutes, March 14, 2017
- C. Travel Requests
- D. Appointment of Library Member
- E. YCC Grant Application Pre-Application Forms
- F. Aztec Airport Fuel Access Road Sponsor Certifications
- G. Resolution 2017-1043 Authorizing Submission of Application to the Federal Aviation Administration
- H. Resolution 2017-1044 Authorizing the Acceptance of Mayor's Signature on the Aztec Airport Terminal Apron Project FAA Federal Grant Offer Once Received
- I. Bid 2016-559 Airport Terminal Apron Alternate #1 Fuel Tank Access Road

*Items placed on the Consent Agenda will be voted on with one motion. If any item proposed does not meet the approval of all Commissioners, a Commissioner may request that the item be heard under "Items from Consent Agenda"*

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**X. ITEMS FROM CONSENT AGENDA**

**XI. CITIZENS INPUT (3 Minutes Maximum)**

*(Citizens who wish to speak will sign up prior to the meeting. This is for items not otherwise listed on the agenda)*

**XII. BUSINESS ITEMS**

- A. Final Adoption of Ordinance 2017-455 Amending the Municipal Code of Aztec, New Mexico, 2007, Chapter 16, Article IV, Division 4, Sec 16-211 Solid Waste Rates

**XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

**XIV. DEPARTMENT REPORTS**

*(When this item is announced, all Department Heads who wish to give a report will move to the podium)*

**XV. ADJOURNMENT**

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**ATTENTION PERSONS WITH DISABILITIES:** The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need an auxiliary aid or service, please contact the City Clerk's Office at 334-7600 prior to the meeting so that arrangements can be made.

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CITY OF AZTEC  
WORKSHOP MEETING MINUTES  
March 14, 2017

**I. CALL TO ORDER**

Mayor Burbridge called the Workshop to order at 5:30 pm at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

**MEMBERS PRESENT:** Mayor Sally Burbridge; Mayor Pro-Tem Sipe;; Commissioner, Katee McClure; Commissioner Sheri Rogers; Commissioner Austin Randall

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Manager Josh Ray; City Attorney, Larry Thrower; General Services Director Steve Mueller; Project Manager, Ed Kotyk; City Clerk, Karla Sayler

**A. Review of Youth Conservation Corps (YCC) 2018 Projects**

Project Manager Ed Kotyk mentioned that the city is needing to submit next year's YCC proposed projects. The application is due April 26, 2017. Prior to the submittal staff wanted to present the proposed projects that were approved within the YCC 4 year Plan. Minor adjustments were made to the original 2018 plan. Staff reviewed the FY18 projects with commission as follows:

- Upgrades to Minium Park which will included shade and benches around the splash park
- Landscaping in the Rose Garden
- Lighting and Concrete Pad at RV Station
- Ramp on the East Side of the River, parking lot and picnic tables installed at North Main

**II. ADJOURMENT**

Moved by Mayor Burbridge to adjourn the meeting at 5:50 p.m.

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Mayor, Sally Burbridge

ATTEST:

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Karla Sayler, City Clerk

1 MINUTES PREPARED BY:

2

3

4 \_\_\_\_\_  
Karla Sayler, City Clerk

1 CITY OF AZTEC  
2 COMMISSION MEETING MINUTES  
3 March 14, 2017  
4

5 **I. CALL TO ORDER**

6 Mayor Sally Burbridge called the Meeting to order at 6:00 pm at the Aztec City  
7 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.  
8

9 **II. INVOCATION**

10 The Invocation was lead by Judge Carlton Gray  
11  
12

13 **III. PLEDGE OF ALLEGIANCE**

14 The Pledge of Allegiance was led by General Services Director Steve Mueller  
15  
16

17 **IV. ROLL CALL**

18  
19 Members Present: Mayor Sally Burbridge; Mayor Pro-Tem Sherri Sipe;  
20 Commissioner Katee McClure; Commissioner Austin  
21 Randall; Commissioner Sheri Rogers  
22

23 Members Absent: None  
24

25 Others Present: City Manager Joshua Ray; City Attorney Larry  
26 Thrower; City Clerk Karla Saylor; Project Manager Ed  
27 Kotyk (see attendance sheet)  
28

29 **V. AGENDA APPROVAL**

30  
31 MOVED by Commissioner Randall, SECONDED by Mayor Pro-Tem Sipe to  
32 Approve the Agenda as Presented  
33

34 **VI. PROCLAMATION**

35 Athletic Training Month  
36  
37

38 Mayor Burbridge proclaimed the month of March as Athletic Training Month by  
39 reading the Proclamation. Mayor Pro-Tem Sipe mentioned that we are very fortunate to  
40 have a Athletic Trainer here in our School District.  
41

42 **VII. CITIZEN RECOGNITION**

43  
44 Code Compliance Officer Bob Carmen recognized Everett Brandenburg as the  
45 March Spirit Award winner at 1005 Cimarron Avenue.  
46

1 **VIII. EMPLOYEE RECOGNITION**

2  
3 Josh recognized that we are going to put up pictures in Commission Room of  
4 Department of the Year (General Services Department) and Employee of the Year  
5 (Animal Shelter Director Tina Roper).  
6

7 **IX. CONSENT AGENDA**

8  
9 MOVED by Commissioner Rogers, SECONDED by Commissioner Randall to  
10 Approve the Consent Agenda as presented  
11

- 12 A. Commission Workshop Meeting Minutes, February 28, 2017
- 13 B. Commission Meeting Minutes, February 28, 2017
- 14 C. Commission Special Workshop Meeting Minutes, March 1, 2017
- 15 D. Travel Requests
- 16 E. NMDOT State Appropriation
- 17 F. City Attorney Contract Renewal
- 18 G. Application for Law Enforcement Protection Fund
- 19 H. Resolution 2017-1042 Adopting City's Mission Statement and Goals  
20  
21

22 **X. ITEMS FROM CONSENT AGENDA**

23 NONE  
24

25 **XI. CITIZENS INPUT**

26 None  
27

28 **XII. BUSINESS ITEMS**

29  
30 A. Intent to Adopt Ordinance 2017-456 Amending Chapter 16, Article II Parks &  
31 Recreation Fees by Eliminating Section 16-15 Golf Course Fees  
32

33 Josh mentioned that this is the intent to eliminate the Golf Course Fees therefore  
34 allowing the operator of the Golf Course to set the fees so it doesn't seem that there are  
35 two sets of fees one by the City one by the operator.  
36

37 MOVED by Commissioner Randall, SECONDED by Mayor Pro-Tem Sipe to  
38 Approve the Intent to Adopt Ordinance 2017-456 Amending Chapter 16, Article II Parks  
39 & Recreation Fees by Eliminating Section 16-15 Golf Course Fees  
40

41 A Roll Call Was Taken: All Voted Aye; Motion Passed Five to Zero  
42  
43  
44

45 B. Intent to Adopt Ordinance 2017-457 Amending Chapter 16, by Creating

1 Article X HUB Incubator Fees

2  
3 Josh mentioned that this is the intent to create fees for the Aztec HUB. He  
4 mentioned that these fees have been approved by meetings and process for the HUB.  
5 The fees structure has been attached in the agenda packet.

6  
7 MOVED by Commissioner McClure, SECONDED by Mayor Pro-Tem Sipe to  
8 Approve Intent to Adopt Ordinance 2017-457 Amending Chapter 16, by Creating  
9 Article X HUB Incubator Fees

10  
11 A Roll Call Was Taken: All Voted Aye; Motion Passed Five to Zero

12  
13 C. Intent to Adopt Ordinance 2017-458 An Ordinance Amending Chapter 2,  
14 Article II, Division 4 Governance Policies

15  
16 Josh mentioned that this in the intent to adopt ordinance for governance policies  
17 based on the March 1, 2017 workshop that commission held for the City Commission  
18 and the policy section and these are the updates which are now being presented to  
19 commission for approval of the changes that were made at that workshop

20  
21 MOVED by Mayor Pro-Tem Sipe, SECONDED by Commissioner Rogers to  
22 Approve Intent to Adopt Ordinance 2017-458 An Ordinance Amending Chapter 2,  
23 Article II, Division 4 Governance Policies

24  
25 A Roll Call Was Taken: All Voted Aye; Motion Passed Five to Zero

26  
27 **XIII. LAND USE HEARING**

28  
29 A. Request for Waiver to Allow a Body Art Establishment, Ink'd Vessel Tattoo  
30 Shop, to operate at 111 West Chaco Street, Aztec, New Mexico

31  
32 Mayor Burbridge opened the Land Use Hearing for a Request for Waiver to Allow  
33 a Body Art Establishment, Ink'd Vessel Tattoo Shop, to operate at 111 West Chaco  
34 Street, Aztec, New Mexico. Mayor Burbridge stated that this hearing would be  
35 conducted under Procedures mandated by the New Mexico Court of Appeals in  
36 Battershell versus the City of Albuquerque, which were intended to protect the due  
37 process rights of our parties. Mayor Burbridge subsequently identified the parties and  
38 City Staff. Mayor Burbridge then asked Commission if they would accept the parties and  
39 they did. She reviewed the procedures and then asked if any members of the  
40 Commission had a conflict of interest, bias, or engaged in ex parte communication,  
41 there were none. Mayor Burbridge then swore in the parties and reviewed the Order of  
42 Presentation.

1  
2 Utility Director Delain George mentioned that this is a request for waiver to allow  
3 a body art establishment to be located at 111 W. Chaco in Aztec. She mentioned that  
4 the reason the request is before commission is because under code no body art  
5 establishment should be located within 300 feet of a private or public school or church  
6 or residence unless waived by City Commission. Delain mentioned that there was one  
7 comment that they did not want a tattoo shop to go in that building but did not want to  
8 dispute it. Finding of facts were reviewed and there was an amendment to the applicant  
9 name Michael Anderson to Michael Morrison.

10 Michael Morrison, Applicant for the shop mentioned that he will be offering  
11 services for free for hate or gang tattoos and he would like to take one day out of the  
12 month to teach high school students the art of tattoos.

13  
14 MOVED by Mayor Pro-Tem Sipe, SECONDED by Commissioner Randall to  
15 Approve Request to grant for a Waiver for a Body Art Establishment, To Be Located at  
16 111 W. Chaco St. Aztec Known As Ink'd Vessel Tattoo Shop. Should the Business  
17 Move Or Change Ownership, the Waiver Will Be Null and Void, Accepting Findings of  
18 Fact 1-8 With The Amendment of the Name Change on Finding of Fact #8

19  
20 A Roll Call Was Taken: All Voted Aye; Motion Passed Five to Zero

21  
22 **XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

23  
24 Josh Ray mentioned that there will be a St. Patrick's Day Employee Association  
25 breakfast on Thursday at the Electric Department from 7-8:30am. Josh mentioned that  
26 he will be out of town next week.

27  
28 Mayor Burbridge asked if there is a way to change code to not have tattoo shops  
29 have to come before commission for an approval for waivers every time. Delain said  
30 she would research and report back to commission. Mayor Burbridge mentioned that  
31 she has a new grandbaby boy.

32  
33 Mayor Pro-Tem Sipe mentioned that she attended the grand re-opening of the  
34 Lower Valley Senior Center last Tuesday. She attended a NWNMS managers meeting  
35 and also attended a MPO special meeting last week on Wednesday and Policy  
36 Committee approved the TIP amendment which has the Aztec Arterial project on it and  
37 it was approved. She mentioned that she asked for a copy of the joint powers  
38 agreement and by-laws to be sent out to the policy committee members due to question  
39 on sharing information. She thanked all the police officers for the job and the risks that

1 they take daily and mentioned that they are appreciated very much. Mayor Pro-Tem  
2 Sipe mentioned that she will be attending the EDAB meeting on Thursday morning.

3  
4 Commissioner Rogers expressed her appreciation to be able to attended the  
5 Mayor's Ball on Saturday and that it was outstanding and much fun.

6  
7 Commissioner Randall mentioned that he has a Lodger's Tax meeting next  
8 Tuesday and that he also attended the Mayor's Ball and was fun.

9  
10 Commissioner McClure mentioned that she attended the Library Board Meeting  
11 and the board nominated a member and a junior member. She made a comment  
12 welcoming the tattoo shop.

13  
14 Larry recognized the police departments and mentioned that they do a  
15 tremendous job and he thanks god for them.

16  
17 **X. DEPARTMENT REPORTS**

18  
19 Library Director Kate Skinner mentioned that she welcomes a tattoo shop in the  
20 City and mentioned that she sees tattoos as art. She mentioned that there is a lot of  
21 history in tattoo art and can also be a cultural belief. Kate mentioned that a  
22 representative from ECHO food bank came in to the library and mentioned that overall  
23 the Aztec Library collected over 500 lbs of food when the food for fines was being  
24 collected.

25  
26 Chief Mike Heal mentioned that Coffee with the Chief will start up again next  
27 Tuesday at 6:00pm at the Police Department.

28  
29 **XI. ADJOURMENT**

30  
31 Moved by Mayor Burbridge, SECONDED by Commissioner Rogers to adjourn  
32 the meeting at 6:50 p.m.

33  
34  
35  
36 \_\_\_\_\_  
Mayor Sally Burbridge

37 ATTEST:

38  
39 \_\_\_\_\_  
40 Karla Saylor, City Clerk  
41

1 MINUTES PREPARED BY

2

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4 \_\_\_\_\_  
Karla Sayler, City Clerk

DRAFT

# Staff Summary Report

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**MEETING DATE:** March 28, 2017  
**AGENDA ITEM:** IX. CONSENT AGENDA (C)  
**AGENDA TITLE:** Travel Requests

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**ACTION REQUESTED BY:** Finance Staff  
**ACTION REQUESTED:** Approval of Employee/Public Official Travel Requests  
**SUMMARY BY:** Finance

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## **PROJECT DESCRIPTION / FACTS** (Leading Department)

- Resolution 2003-603 identifies the requirement for employee/public official travel requests to be pre-approved by the commission. All travel requests will be submitted to the commission for approval prior to the travel occurring except in unusual circumstances when the City Manager may approve as provided in resolution 2003-603.
- The attached log is sorted by dates of travel and then by department.
  - Wastewater Operator Supervisor is requesting approval of attendance of the NM Rural Water Association 39<sup>th</sup> Annual Conference held in Albuquerque, NM. This conference will allow him to recertify and accrue hours towards the required 30 credit hours needed every 3 years.
  - Library Director is requesting approval of attendance of the NMLA Mini Conference held in Las Vegas, NM. As a candidate for the Board, attending will introduce her to community surveying and data analysis to learn to create 5 year and long range plans for libraries in the State of NM. She will also learn ideas and new products in the exhibitor's hall to enhance her ability to make decisions for Aztec Public Library.
  - Community Development Director is requesting approval of attendance of the NMFMA Spring 2017 Workshop. Attending will provide CFM Certification.
  - Water & Wastewater Operator in Charge and Supervisor is requesting approval of attendance of the 2017 Vector Control Conference held in Albuquerque, NM. Attending this conference will give them the opportunity at recertification.
  - Finance Director and Accounting Tech III is requesting approval of attendance of the Annual Budget Training held in Albuquerque, NM. This will allow them to learn Budget Forms and Requirements, Reserve requirements, Chart of Accounts and LGBMS Updates and Office of the State Auditor Updates.

## **FISCAL INPUT** (Finance Department)

- All departments requesting travel have sufficient funds budgeted within their travel/training budgets

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**SUPPORT DOCUMENTS:** Travel Log March 28, 2017

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**DEPARTMENT'S RECOMMENDED MOTION:** Approve Employee/Public Official Travel Requests

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**EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL  
MEETING DATE: MARCH 28, 2017**

<b>Dates of Travel</b>	<b>Department</b>	<b>Purpose of Travel/Location</b>	<b>Over-night</b>	<b>Out of State</b>	<b>Costs</b>	<b>Explanation of Cost</b>	<b>FY17 Budget Available</b>
04/03-05/17	Wastewater	NM Rural Water Assoc. 39 <sup>th</sup> Annual Conference Albuquerque, NM.	Yes	No	108.00 225.00 37.00 347.00	Meal & Gratuity Allowance Registration Estimated Cost for Fuel Lodging	Yes
04/05-07/17	Library	NMLA Mini Conference Las Vegas, NM.	Yes	No	96.00 50.00 130.00	Meal & Gratuity Allowance Registration Lodging	Yes
04/10-14/17	Comm. Dev.	NMFMA Spring 2017 Workshop Albuquerque, NM.	Yes	No	144.00 175.00 25.00	Meal & Gratuity Allowance Registration Test Fee (Staying w/family)	Yes
04/17-19/17	Wastewater	2017 NMEHA Annual Vector Control Conference Albuquerque, NM.	Yes	No	108.00 85.00 36.00 224.11	Meal & Gratuity Allowance Registration Estimated Cost for Fuel Lodging	Yes
04/17-19/17	Wastewater	2017 NMEHA Annual Vector Control Conference Albuquerque, NM.	Yes	No	108.00 85.00 224.11	Meal & Gratuity Allowance Registration Lodging (Riding w/Andrew)	Yes
04/26/17	Finance	Annual Budget Training Albuquerque, NM.	No	No	54.00 75.00 50.00	Meal & Gratuity Allowance Registration Estimated Cost for Fuel	Yes
04/26/17	Finance	Annual Budget Training Albuquerque, NM.	No	No	54.00 75.00 50.00	Meal & Gratuity Allowance Registration Estimated Cost for Fuel	Yes

**EMPLOYEE/PUBLIC OFFICIAL TRAVEL REQUESTS FOR COMMISSION APPROVAL  
MEETING DATE: MARCH 28, 2017**

# **Staff Summary Report**

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**MEETING DATE:** 28 March 2017  
**AGENDA ITEM:** IX. CONSENT AGENDA (D)  
**AGENDA TITLE:** Library Advisory Board Member Approval

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**ACTION REQUESTED BY:** Kate Skinner, Library Director  
**ACTION REQUESTED:** Approval of Library Advisory Board member  
**SUMMARY BY:** Kate Skinner

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## **PROJECT DESCRIPTION / FACTS (Library)**

- Library Advisory Board Member at Large position became vacant in January 2017 when term for Helen North Root expired at end of 2016.
- The Library Advisory Board would like to recommend that the Commission approve Miranda Revesz to fill this position. The four year term runs from 1-2017 to 12-2020
- A letter of Interest from Miranda Revesz is attached

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**SUPPORT DOCUMENTS:** Letter of Interest from Melinda Martinez

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve appointment of Melinda Martinez to Aztec Library Advisory Board.

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**From:** Miranda Revesz [<mailto:reveszm@mosaic.k12.nm.us>]

**Sent:** Tuesday, February 07, 2017 12:21 PM

**To:** Karla Saylor

**Subject:** Library Advisory Board

Hello Karla, My name is Miranda Revesz. I teach at Mosaic Academy and heard from Lynn Spence that there is an opening on the Library Advisory Board. I am interested in the position.  
Thank you, Sincerely, Miranda Revesz

# Staff Summary Report

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**MEETING DATE:** March 28, 2017  
**AGENDA ITEM:** IX. CONSENT AGENDA (E)  
**AGENDA TITLE:** YCC Grant Application Pre-Application Forms

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**ACTION REQUESTED BY:** City Staff  
**ACTION REQUESTED:** Approval of YCC Grant Application Pre-Application Forms  
**SUMMARY BY:** Kris Farmer

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## PROJECT DESCRIPTION / FACTS

- YCC has changed the application process. There are now prerequisites required. Two forms (Letter of Transmittal and Campaign Contribution Disclosure) need to be signed and uploaded before we enter the bid.

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**SUPPORT DOCUMENTS:** Letter of Transmittal and Campaign Contribution Disclosure Forms

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to approve YCC Grant Application Pre-Application forms

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**APPENDIX B**  
**Letter of Transmittal Form**

RFP#: 70-522-17-000506

Offeror Name: City of Aztec FED ID#: 85-600010

NM State Tax ID # (CRS): 01-404275-004 Non-Profit # (if applicable): \_\_\_\_\_

State of New Mexico Vendor #: 54308

Items #1 to #7 EACH MUST BE COMPLETED IN FULL Failure to respond to all seven items WILL RESULT IN THE DISQUALIFICATION OF THE PROPOSAL!

1. Identity (Name) and Mailing Address of the submitting organization: City of Aztec  
201 W Chaco Aztec NM 87410  
\_\_\_\_\_

2. For the person authorized by the organization to contractually obligate on behalf of this Offer:

Name Sally Burbridge Title: Mayor  
E-Mail Address sburbridge@aztecnm.gov Telephone Number 505-334-7646

3. For the person authorized by the organization to negotiate on behalf of this Offer:

Name Josh Ray Title: City Manager  
E-Mail Address jray@aztecnm.gov Telephone Number 505-334-7602

4. For the person authorized by the organization to clarify/respond to queries regarding this Offer:

Name Kris Farmer Title: Finance Accounting Tech I  
E-Mail Address kfarmer@aztecnm.gov Telephone Number 505-334-7651

5. For the person authorized by the organization to act as the fiscal officer regarding this Offer:

Name Kris Farmer Title: Finance Accounting Tech I  
E-Mail Address kfarmer@aztecnm.gov Telephone Number 505-334-7651

6. Use of Sub-Contractors (Select one)

No sub-contractors will be used in the performance of any resultant contract OR

The following sub-contractors will be used in the performance of any resultant contract:

(Attach extra sheets, as needed)

7. Please describe any relationship with any entity (other than Subcontractors listed in (5) above) which will be used in the performance of any resultant contract.

    N/A    \_\_\_\_\_

(Attach extra sheets, as needed)

8.  On behalf of the submitting organization named in item #1, above, I accept the Conditions Governing the Procurement as required in Section II. C.1.

I concur that submission of our proposal constitutes acceptance of the Evaluation Factors contained in Section V of this RFP.

I acknowledge receipt of any and all amendments to this RFP.

\_\_\_\_\_     March 28    , 2017

Authorized Signature and Date (Must be signed by the person identified in item #2, above.)

## **Campaign Contribution Disclosure Form**

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

**THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.**

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

**DISCLOSURE OF CONTRIBUTIONS:**

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Name of Applicable Public Official: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_  
\_\_\_\_\_

Amount(s) of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Nature of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Purpose of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_

Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

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Signature

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Date

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Title (Position)

# Staff Summary Report

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**MEETING DATE:** March 28, 2017  
**AGENDA ITEM:** IX. CONSENT AGENDA (F)  
**AGENDA TITLE:** Aztec Airport Fuel Access Road Sponsor Certifications

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**ACTION REQUESTED BY:** Finance Department  
**ACTION REQUESTED:** Approval of Aztec Airport Fuel Access Road Sponsor Certifications  
**SUMMARY BY:** Kathy Lamb

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## **PROJECT DESCRIPTION / FACTS**

- The Aztec Municipal Airport is eligible for \$150,000 annual appropriation through the Federal Aviation Administration (FAA) Airport Improvement Program. These funds may accumulate for a maximum of four years, or \$600,000. If the funds are not obligated by the beginning of the next federal fiscal year (October 1), one year of funding is lost and the new fiscal year funding becomes available (if Congress has appropriated funds).
- The City requested consideration of the using the 2017 appropriation to construct the fuel access road at the municipal airport. The fuel access road was bid as alternate #1 with Bid 2016-559. The commission awarded the base bid on August 29, 2016 but took no action on the alternates.
- The FAA has indicated funding is available that may allow the City to proceed with the award of the alternate to allow construction to occur this spring. There are several items that staff is awaiting response from both FAA and our airport consultant.
- This specific item is to execute the various sponsor certifications which will be required if funding is approved. These certifications are the same as those approved in August 2016 for the terminal apron project but are specific to the fuel access road.

## **FISCAL INPUT / FINANCE DEPARTMENT**

- The execution of the sponsor certifications are necessary in the FAA funding approval process.

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**SUPPORT DOCUMENTS:** Sponsor Certifications

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve FAA Sponsor Certifications for Fuel Access Road Funding

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## Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

### Application

Title 2 CFR § 200.112 and § 1201.112 address Federal Aviation Administration (FAA) requirements for conflict of interest. As a condition of eligibility under the Airport Improvement Program (AIP), sponsors must comply with FAA policy on conflict of interest. Such a conflict would arise when any of the following have a financial or other interest in the firm selected for award:

- a) The employee, officer or agent,
- b) Any member of his immediate family,
- c) His or her partner, or
- d) An organization which employs, or is about to employ, any of the above.

Selecting "Yes" represents sponsor or sub-recipient acknowledgement and confirmation of the certification statement. Selecting "No" represents sponsor or sub-recipient disclosure that it cannot fully comply with the certification statement. If "No" is selected, provide support information explaining the negative response as an attachment to this form. This includes whether the sponsor has established standards for financial interest that are not substantial or unsolicited gifts are of nominal value (2 CFR § 200.318(c)). The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance.

### Certification Statements

1. The sponsor or sub-recipient maintains a written standards of conduct governing conflict of interest and the performance of their employees engaged in the award and administration of contracts (2 CFR § 200.318(c)). To the extent permitted by state or local law or regulations, such standards of conduct provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the sponsor's and sub-recipient's officers, employees, or agents, or by contractors or their agents.

Yes  No

2. The sponsor's or sub-recipient's officers, employees or agents have not and will not solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements (2 CFR § 200.318(c)).

Yes  No

3. The sponsor or sub-recipient certifies that is has disclosed and will disclose to the FAA any known potential conflict of interest (2 CFR § 1200.112).

Yes  No

Attach documentation clarifying any above item marked with "no" response.

### **Sponsor's Certification**

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and have the explanation for any item marked "no" is correct and complete.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

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## Drug-Free Workplace Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on the drug-free workplace within federal grant programs are described in 2 CFR part 182. Sponsors are required to certify they will be, or will continue to provide, a drug-free workplace in accordance with the regulation. The AIP project grant agreement contains specific assurances on the Drug-Free Workplace Act of 1988.

### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A statement has been or will be published prior to commencement of project notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sponsor's workplace, and specifying the actions to be taken against employees for violation of such prohibition (2 CFR § 182.205).

Yes    No    N/A

2. An ongoing drug-free awareness program (2 CFR § 182.215) has been or will be established prior to commencement of project to inform employees about:

- a. The dangers of drug abuse in the workplace;
- b. The sponsor's policy of maintaining a drug-free workplace;
- c. Any available drug counseling, rehabilitation, and employee assistance programs; and
- d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

Yes    No    N/A

3. Each employee to be engaged in the performance of the work has been or will be given a copy of the statement required within item 1 above prior to commencement of project (2 CFR § 182.210).

Yes  No  N/A

4. Employees have been or will be notified in the statement required by item 1 above that, as a condition employment under the grant (2 CFR § 182.205(c)), the employee will:

- a. Abide by the terms of the statement; and
- b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

Yes  No  N/A

5. The Federal Aviation Administration (FAA) will be notified in writing within 10 calendar days after receiving notice under item 4b above from an employee or otherwise receiving actual notice of such conviction (2 CFR § 182.225). Employers of convicted employees must provide notice, including position title of the employee, to the FAA (2 CFR § 182.300).

Yes  No  N/A

6. One of the following actions (2 CFR § 182.225(b)) will be taken within 30 calendar days of receiving a notice under item 4b above with respect to any employee who is so convicted:

- a. Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; and
- b. Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

Yes  No  N/A

7. A good faith effort will be made, on a continuous basis, to maintain a drug-free workplace through implementation of items 1 through 6 above (2 CFR § 182.200).

Yes  No  N/A

**Site(s) of performance of work (2 CFR § 182.230):**

**Location 1**

Name of Location: Aztec Municipal Airport, Fuel Truck Access Road

Address: 801 Airport Drive, Aztec NM 87410

**Location 2 (if applicable)**

Name of Location:

Address:

**Location 3 (if applicable)**

Name of Location:

Address:

Attach documentation clarifying any above item marked with a "No" response.

**Sponsor's Certification**

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 28 day of March, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



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## Selection of Consultants

### Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

#### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements for selection of consultant services within federal grant programs are described in 2 CFR §§ 200.317-200.326. Sponsors may use other qualifications-based procedures provided they are equivalent to standards of Title 40 chapter 11 and FAA Advisory Circular 150/5100-14, Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects.

#### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. Sponsor acknowledges their responsibility for the settlement of all contractual and administrative issues arising out of their procurement actions (2 CFR § 200.318(k)).  
 Yes    No    N/A
  
2. Sponsor procurement actions ensure or will ensure full and open competition that does not unduly limit competition (2 CFR § 200.319).  
 Yes    No    N/A
  
3. Sponsor has excluded or will exclude any entity that develops or drafts specifications, requirements, or statements of work associated with the development of a request-for-qualifications (RFQ) from competing for the advertised services (2 CFR § 200.319).  
 Yes    No    N/A

4. The advertisement describes or will describe specific project statements-of-work that provide clear detail of required services without unduly restricting competition (2 CFR § 200.319).
- Yes  No  N/A
5. Sponsor has publicized or will publicize a RFQ that:
- a. Solicits an adequate number of qualified sources (2 CFR § 200.320(d)); and
- b. Identifies all evaluation criteria and relative importance (2 CFR § 200.320(d)).
- Yes  No  N/A
6. Sponsor has based or will base selection on qualifications, experience, and disadvantaged business enterprise participation with price not being a selection factor (2 CFR § 200.320(d)).
- Yes  No  N/A
7. Sponsor has verified or will verify that agreements exceeding \$25,000 are not awarded to individuals or firms suspended, debarred or otherwise excluded from participating in federally assisted projects (2 CFR §180.300).
- Yes  No  N/A
8. A/E services covering multiple projects: Sponsor has agreed to or will agree to:
- a. Refrain from initiating work covered by this procurement beyond five years from the date of selection (AC 150/5100-14); and
- b. Retain the right to conduct new procurement actions for projects identified or not identified in the RFQ (AC 150/5100-14).
- Yes  No  N/A
9. Sponsor has negotiated or will negotiate a fair and reasonable fee with the firm they select as most qualified for the services identified in the RFQ (2 CFR § 200.323).
- Yes  No  N/A
10. The Sponsor's contract identifies or will identify costs associated with ineligible work separately from costs associated with eligible work (2 CFR § 200.302).
- Yes  No  N/A
11. Sponsor has prepared or will prepare a record of negotiations detailing the history of the procurement action, rationale for contract type and basis for contract fees (2 CFR §200.318(i)).
- Yes  No  N/A
12. Sponsor has incorporated or will incorporate mandatory contact provisions in the consultant contract for AIP-assisted work (49 U.S.C. Chapter 471 and 2 CFR part 200 Appendix II)
- Yes  No  N/A

13. For contracts that apply a time-and-material payment provision (also known as hourly rates, specific rates of compensation, and labor rates), the Sponsor has established or will establish:

- a. Justification that there is no other suitable contract method for the services (2 CFR §200.318(j));
- b. A ceiling price that the consultant exceeds at their risk (2 CFR §200.318(j)); and
- c. A high degree of oversight that assures consultant is performing work in an efficient manner with effective cost controls in place 2 CFR §200.318(j)).

Yes    No    N/A

14. Sponsor is not using or will not use the prohibited cost-plus-percentage-of-cost (CPPC) contract method. (2 CFR § 200.323(d)).

Yes    No    N/A

Attach documentation clarifying any above item marked with "no" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



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## Project Plans and Specifications

### Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

#### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). Labor and civil rights standards applicable to AIP are established by the Department of Labor ([www.dol.gov/](http://www.dol.gov/)). AIP Grant Assurance C.1—General Federal Requirements identifies applicable federal laws, regulations, executive orders, policies, guidelines and requirements for assistance under AIP. A list of current advisory circulars with specific standards for procurement, design or construction of airports, and installation of equipment and facilities is referenced in standard airport sponsor Grant Assurance 34 contained in the grant agreement.

#### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The plans and specifications were or will be prepared in accordance with applicable federal standards and requirements, so that no deviation or modification to standards set forth in the advisory circulars, or FAA-accepted state standard, is necessary other than those explicitly approved by the Federal Aviation Administration (FAA) (14 USC § 47105).

Yes    No    N/A

2. Specifications incorporate or will incorporate a clear and accurate description of the technical requirement for the material or product that does not contain limiting or proprietary features that unduly restrict competition (2 CFR §200.319).

Yes    No    N/A

3. The development that is included or will be included in the plans is depicted on the current airport layout plan as approved by the FAA (14 USC § 47107).
- Yes  No  N/A
4. Development and features that are ineligible or unallowable for AIP funding have been or will be omitted from the plans and specifications (FAA Order 5100.38, par. 3-43).
- Yes  No  N/A
5. The specification does not use or will not use "brand name" or equal to convey requirements unless sponsor requests and receives approval from the FAA to use brand name (FAA Order 5100.38, Table U-5).
- Yes  No  N/A
6. The specification does not impose or will not impose geographical preference in their procurement requirements (2 CFR §200.319(b) and FAA Order 5100.38, Table U-5).
- Yes  No  N/A
7. The use of prequalified lists of individuals, firms or products include or will include sufficient qualified sources that ensure open and free competition and that does not preclude potential entities from qualifying during the solicitation period (2 CFR §319(d)).
- Yes  No  N/A
8. Solicitations with bid alternates include or will include explicit information that establish a basis for award of contract that is free of arbitrary decisions by the sponsor (2 CFR § 200.319(a)(7)).
- Yes  No  N/A
9. Concurrence was or will be obtained from the FAA if Sponsor incorporates a value engineering clause into the contract (FAA Order 5100.38, par. 3-57).
- Yes  No  N/A
10. The plans and specifications incorporate or will incorporate applicable requirements and recommendations set forth in the federally approved environmental finding (49 USC §47106(c)).
- Yes  No  N/A
11. The design of all buildings comply or will comply with the seismic design requirements of 49 CFR § 41.120. (FAA Order 5100.38d, par. 3-92)
- Yes  No  N/A
12. The project specification include or will include process control and acceptance tests required for the project by as per the applicable standard:
- a. Construction and installation as contained in Advisory Circular (AC) 150/5370-10.
- Yes  No  N/A

b. Snow Removal Equipment as contained in AC 150/5220-20.

Yes  No  N/A

c. Aircraft Rescue and Fire Fighting (ARFF) vehicles as contained in AC 150/5220-10.

Yes  No  N/A

13. For construction activities within or near aircraft operational areas(AOA):

a. The Sponsor has or will prepare a construction safety and phasing plan (CSPP) conforming to Advisory Circular 150/5370-2.

b. Compliance with CSPP safety provisions has been or will be incorporated into the plans and specifications as a contractor requirement.

c. Sponsor will not initiate work until receiving FAA's concurrence with the CSPP (FAA Order 5100.38, Par. 5-29).

Yes  No  N/A

14. The project was or will be physically completed without federal participation in costs due to errors and omissions in the plans and specifications that were foreseeable at the time of project design (49 USC §47110(b)(1) and FAA Order 5100.38d, par. 3-100).

Yes  No  N/A

Attach documentation clarifying any above item marked with "No" response.

**Sponsor's Certification**

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



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## Equipment and Construction Contracts Airport Improvement Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General procurement standards for equipment and construction contracts within Federal grant programs are described in 2 CFR §§ 200.317-200.326. Labor and Civil Rights Standards applicable to the AIP are established by the Department of Labor ([www.dol.gov](http://www.dol.gov)) AIP Grant Assurance C.1—General Federal Requirements identifies all applicable Federal Laws, regulations, executive orders, policies, guidelines and requirements for assistance under the AIP. Sponsors may use state and local procedures provided the procurement conforms to these federal standards.

This certification applies to all equipment and construction projects. Equipment projects may or may not employ laborers and mechanics that qualify the project as a “covered contract” under requirements established by the Department of Labor requirements. Sponsor shall provide appropriate responses to the certification statements that reflect the character of the project regardless of whether the contract is for a construction project or an equipment project.

### Certification Statements

Except for certification statements below marked as not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgement and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. A written code or standard of conduct is or will be in effect prior to commencement of the project that governs the performance of the sponsor’s officers, employees, or agents in soliciting, awarding and administering procurement contracts (2 CFR § 200.318).

Yes  No  N/A

2. For all contracts, qualified and competent personnel are or will be engaged to perform contract administration, engineering supervision, construction inspection, and testing (Grant Assurance C.17).
- Yes  No  N/A
3. Sponsors that are required to have a Disadvantage Business Enterprise (DBE) program on file with the FAA have included or will include clauses required by Title VI of the Civil Rights Act and 49 CFR Part 26 for Disadvantaged Business Enterprises in all contracts and subcontracts.
- Yes  No  N/A
4. Sponsors required to have a DBE program on file with the FAA have implemented or will implement monitoring and enforcement measures that:
- a. Ensure work committed to Disadvantaged Business Enterprises at contract award is actually performed by the named DBEs (49 CFR § 26.37(b));
  - b. Include written certification that the sponsor has reviewed contract records and has monitored work sites for performance by DBE firms (49 CFR § 26.37(b)); and
  - c. Provides for a running tally of payments made to DBE firms and a means for comparing actual attainments (i.e. payments) to original commitments (49 CFR § 26.37(c)).
- Yes  No  N/A
5. Sponsor procurement actions using the competitive sealed bid method (2 CFR § 200.320(c)). was or will be:
- a. Publicly advertised, allowing a sufficient response time to solicit an adequate number of interested contractors or vendors;
  - b. Prepared to include a complete, adequate and realistic specification that defines the items or services in sufficient detail to allow prospective bidders to respond;
  - c. Publicly opened at a time and place prescribed in the invitation for bids; and
  - d. Prepared in a manner that result in a firm fixed price contract award to the lowest responsive and responsible bidder.
- Yes  No  N/A
6. For projects the Sponsor proposes to use the competitive proposal procurement method (2 CFR § 200.320(d)), Sponsor has requested or will request FAA approval prior to proceeding with a competitive proposal procurement by submitting to the FAA the following:
- a. Written justification that supports use of competitive proposal method in lieu of the preferred sealed bid procurement method;
  - b. Plan for publicizing and soliciting an adequate number of qualified sources; and
  - c. Listing of evaluation factors along with relative importance of the factors.
- Yes  No  N/A
7. For construction and equipment installation projects, the bid solicitation includes or will include the current federal wage rate schedule(s) for the appropriate type of work classifications (2 CFR Part 200, Appendix II).
- Yes  No  N/A

8. Concurrence was or will be obtained from the Federal Aviation Administration (FAA) prior to contract award under any of the following circumstances (Order 5100.38D):

- a. Only one qualified person/firm submits a responsive bid;
- b. Award is to be made to other than the lowest responsible bidder; and
- c. Life cycle costing is a factor in selecting the lowest responsive bidder.

Yes  No  N/A

9. All construction and equipment installation contracts contain or will contain provisions for:

- a. Access to Records (§ 200.336)
- b. Buy American Preferences (Title 49 U.S.C. § 50101)
- c. Civil Rights - General Provisions and Title VI Assurances( 41 CFR part 60)
- d. Federal Fair Labor Standards (29 U.S.C. § 201, et seq)
- e. Occupational Safety and Health Act requirements (20 CFR part 1920)
- f. Seismic Safety – building construction (49 CFR part 41)
- g. State Energy Conservation Requirements - as applicable(2 CFR part 200, Appendix II)
- h. U.S. Trade Restriction (49 CFR part 30)
- i. Veterans Preference (49 USC § 47112(c))

Yes  No  N/A

10. All construction and equipment installation contracts exceeding \$2,000 contain or will contain the provisions established by:

- a. Davis-Bacon and Related Acts (29 CFR part 5)
- b. Copeland “Anti-Kickback” Act (29 CFR parts 3 and 5)

Yes  No  N/A

11. All construction and equipment installation contracts exceeding \$3,000 contain or will contain a contract provision that discourages distracted driving (E.O. 13513).

Yes  No  N/A

12. All contracts exceeding \$10,000 contain or will contain the following provisions as applicable:

- a. Construction and equipment installation projects - Applicable clauses from 41 CFR Part 60 for compliance with Executive Orders 11246 and 11375 on Equal Employment Opportunity;
- b. Construction and equipment installation - Contract Clause prohibiting segregated facilities in accordance with 41 CFR part 60-1.8;
- c. Requirement to maximize use of products containing recovered materials in accordance with 2 CFR § 200.322 and 40 CFR part 247; and
- d. Provisions that address termination for cause and termination for convenience (2 CFR Part 200, Appendix II).

Yes  No  N/A

13. All contracts and subcontracts exceeding \$25,000: Measures are in place or will be in place (e.g. checking the System for Award Management) that ensure contracts and subcontracts are not awarded to individuals or firms suspended, debarred, or excluded from participating in federally assisted projects (2 CFR parts 180 and 1200).

Yes  No  N/A

14. Contracts exceeding the simplified acquisition threshold (currently \$150,000) include or will include provisions, as applicable, that address the following:

- a. Construction and equipment installation contracts - a bid guarantee of 5%, a performance bond of 100%, and a payment bond of 100% (2 CFR § 200.325);
- b. Construction and equipment installation contracts - requirements of the Contract Work Hours and Safety Standards Act (40 USC 3701-3708, Sections 103 and 107);
- c. Restrictions on Lobbying and Influencing (2 CFR part 200, Appendix II);
- d. Conditions specifying administrative, contractual and legal remedies for instances where contractor or vendor violate or breach the terms and conditions of the contract (2 CFR §200, Appendix II); and
- e. All Contracts - Applicable standards and requirements issued under Section 306 of the Clean Air Act (42 USC 7401-7671q), Section 508 of the Clean Water Act (33 USC 1251-1387, and Executive Order 11738.

Yes  No  N/A

Attach documentation clarifying any above item marked with "No" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



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## Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

### Application

49 USC § 47105(d), authorizes the Secretary to require me certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program. General standards for final acceptance and close out of federally funded construction projects are in 2 CFR § 200.343 – Closeout and supplemented by FAA Order 5100.38. The sponsor must determine that project costs are accurate and proper in accordance with specific requirements of the grant agreement and contract documents.

### Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the construction project. Selecting “Yes” represents sponsor acknowledgment and confirmation of the certification statement. The term “will” means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards. The source of the requirement is referenced within parenthesis.

1. The personnel engaged in project administration, engineering supervision, project inspection, and acceptance testing were or will be determined to be qualified and competent to perform the work (Grant Assurance).  
 Yes    No    N/A
2. Construction records, including daily logs, were or will be kept by the resident engineer/construction inspector that fully document contractor’s performance in complying with:
  - a. Technical standards (Advisory Circular (AC) 150/5370-12);
  - b. Contract requirements (2 CFR part 200 and FAA Order 5100.38); and
  - c. Construction safety and phasing plan measures (AC 150/5370-2). Yes    No    N/A
3. All acceptance tests specified in the project specifications were or will be performed and documented. (AC 150/5370-12).  
 Yes    No    N/A

4. Sponsor has taken or will take appropriate corrective action for any test result outside of allowable tolerances (AC 150/5370-12).  
 Yes  No  N/A
5. Pay reduction factors required by the specifications were applied or will be applied in computing final payments with a summary made available to the FAA (AC 150/5370-10).  
 Yes  No  N/A
6. Sponsor has notified, or will promptly notify the Federal Aviation Administration (FAA) of the following occurrences:
- a. Violations of any federal requirements set forth or included by reference in the contract documents (2 CFR part 200);
  - b. Disputes or complaints concerning federal labor standards (29 CFR part 5); and
  - c. Violations of or complaints addressing conformance with Equal Employment Opportunity or Disadvantaged Business Enterprise requirements (41 CFR Chapter 60 and 49 CFR part 26).
- Yes  No  N/A
7. Weekly payroll records and statements of compliance were or will be submitted by the prime contractor and reviewed by the sponsor for conformance with federal labor and civil rights requirements as required by FAA and U.S. Department of Labor (29 CFR Part 5).  
 Yes  No  N/A
8. Payments to the contractor were or will be made in conformance with federal requirements and contract provisions using sponsor internal controls that include:
- a. Retaining source documentation of payments and verifying contractor billing statements against actual performance (2 CFR § 200.302 and FAA Order 5100.38);
  - b. Prompt payment of subcontractors for satisfactory performance of work (49 CFR § 26.29);
  - c. Release of applicable retainage upon satisfactory performance of work (49 CFR § 26.29); and
  - d. Verification that payments to DBEs represent work the DBE performed by carrying out a commercially useful function (49 CFR §26.55).
- Yes  No  N/A
9. A final project inspection was or will be conducted with representatives of the sponsor and the contractor present that ensure:
- a. Physical completion of project work in conformance with approved plans and specifications (Order 5100.38);
  - b. Necessary actions to correct punch list items identified during final inspection are complete (Order 5100.38); and
  - c. Preparation of a record of final inspection and distribution to parties to the contract (Order 5100.38);
- Yes  No  N/A
10. The project was or will be accomplished without material deviations, changes, or modifications from approved plans and specifications, except as approved by the FAA (Order 5100.38).  
 Yes  No  N/A

11. The construction of all buildings have complied or will comply with the seismic construction requirements of 49 CFR § 41.120.

Yes  No  N/A

12. For development projects, sponsor has taken or will take the following close-out actions:

- a. Submit to the FAA a final test and quality assurance report summarizing acceptance test results, as applicable (Grant Condition);
- b. Complete all environmental requirements as established within the project environmental determination (Order 5100.38); and
- c. Prepare and retain as-built plans (Order 5100.38).

Yes  No  N/A

13. Sponsor has revised or will revise their airport layout plan (ALP) that reflects improvements made and has submitted or will submit an updated ALP to the FAA no later than 90 days from the period of performance end date. (49 USC § 47107 and Order 5100.38).

Yes  No  N/A

Attach documentation clarifying any above item marked with "No" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

Signature of Sponsor's Authorized Official: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.



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## Real Property Acquisition Airport Improvement Program Sponsor Certification

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Sponsor: CITY OF AZTEC

Airport: N19 AZTEC MUNICIPAL AIRPORT

Project Number:

Description of Work: CONSTRUCTION OF FUEL TRUCK ACCESS ROAD

### Application

49 USC § 47105(d) authorizes the Secretary to require certification from the sponsor that it will comply with the statutory and administrative requirements in carrying out a project under the Airport Improvement Program (AIP). General requirements on real property acquisition and relocation assistance are in 49 CFR Part 24. The AIP project grant agreement contains specific requirements and assurances on the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended.

### Certification Statements

Except for certification statements below marked not applicable (N/A), this list includes major requirements of the real property acquisition project. Selecting "Yes" represents sponsor acknowledgement and confirmation of the certification statement. The term "will" means Sponsor action taken at appropriate time based on the certification statement focus area, but no later than the end of the project period of performance. This list is not comprehensive and does not relieve the sponsor from fully complying with all applicable statutory and administrative standards.

1. The sponsor's attorney or other official has or will have good and sufficient title as well as title evidence on property in the project.  
 Yes    No    N/A
  
2. If defects and/or encumbrances exist in the title that adversely impact the sponsor's intended use of property in the project, they have been or will be extinguished, modified, or subordinated.  
 Yes    No    N/A
  
3. If property for airport development is or will be leased, the following conditions have been met:
  - a. The term is for 20 years or the useful life of the project;
  - b. The lessor is a public agency; and
  - c. The lease contains no provisions that prevent full compliance with the grant agreement. Yes    No    N/A

4. Property in the project is or will be in conformance with the current Exhibit A property map, which is based on deeds, title opinions, land surveys, the approved airport layout plan, and project documentation.
- Yes    No    N/A
5. For any acquisition of property interest in noise sensitive approach zones and related areas, property interest was or will be obtained to ensure land is used for purposes compatible with noise levels associated with operation of the airport.
- Yes    No    N/A
6. For any acquisition of property interest in runway protection zones and areas related to 14 CFR 77 surfaces or to clear other airport surfaces, property interest was or will be obtained for the following:
- a. The right of flight;
  - b. The right of ingress and egress to remove obstructions; and
  - c. The right to restrict the establishment of future obstructions.
- Yes    No    N/A
7. Appraisals prepared by qualified real estate appraisers hired by the sponsor include or will include the following:
- a. Valuation data to estimate the current market value for the property interest acquired on each parcel; and
  - b. Verification that an opportunity has been provided to the property owner or representative to accompany appraisers during inspections.
- Yes    No    N/A
8. Each appraisal has been or will be reviewed by a qualified review appraiser to recommend an amount for the offer of just compensation, and the written appraisals as well as review appraisal are available to Federal Aviation Administration (FAA) for review.
- Yes    No    N/A
9. A written offer to acquire each parcel was or will be presented to the property owner for not less than the approved amount of just compensation.
- Yes    No    N/A
10. Effort was or will be made to acquire each property through the following negotiation procedures:
- a. No coercive action to induce agreement; and
  - b. Supporting documents for settlements included in the project files.
- Yes    No    N/A

11. If a negotiated settlement is not reached, the following procedures were or will be used:
- a. Condemnation initiated and a court deposit not less than the just compensation made prior to possession of the property; and
  - b. Supporting documents for awards included in the project files.

Yes  No  N/A

12. If displacement of persons, businesses, farm operations, or non-profit organizations is involved, a relocation assistance program was or will be established, with displaced parties receiving general information on the program in writing, including relocation eligibility, and a 90-day notice to vacate.

Yes  No  N/A

13. Relocation assistance services, comparable replacement housing, and payment of necessary relocation expenses were or will be provided within a reasonable time period for each displaced occupant in accordance with the Uniform Act.

Yes  No  N/A

Attach documentation clarifying any above item marked with "No" response.

### Sponsor's Certification

I certify, for the project identified herein, responses to the forgoing items are accurate as marked and additional documentation for any item marked "no" is correct and complete.

Executed on this 28 day of MARCH, 2017.

Name of Sponsor: CITY OF AZTEC

Name of Sponsor's Authorized Official: SALLY BURBRIDGE

Title of Sponsor's Authorized Official: MAYOR

**Signature** of Sponsor's Designated Official Representative: \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct. I understand that knowingly and willfully providing false information to the federal government is a violation of 18 USC § 1001 (False Statements) and could subject me to fines, imprisonment, or both.

## CERTIFICATION REGARDING LOBBYING

### Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

\* APPLICANT'S ORGANIZATION

CITY OF AZTEC

\* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

Prefix: Mrs.

\* First Name: SALLY

Middle Name:

\* Last Name: BURBRIDGE

Suffix:

\* Title: MAYOR

\* SIGNATURE:

\* DATE:

3/28/2017

# Staff Summary Report

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<b>MEETING DATE:</b>	March 28, 2017
<b>AGENDA ITEM:</b>	IX. CONSENT AGENDA (G)
<b>AGENDA TITLE:</b>	Resolution 2017-1043 Authorizing Submission of Application to the Federal Aviation Administration

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<b>ACTION REQUESTED BY:</b>	Finance Department
<b>ACTION REQUESTED:</b>	Approval of Resolution 2017-1043 Authorizing Submission of Application to the Federal Aviation Administration
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- The Aztec Municipal Airport is eligible for \$150,000 annual appropriation through the Federal Aviation Administration (FAA) Airport Improvement Program. These funds may accumulate for a maximum of four years, or \$600,000. If the funds are not obligated by the beginning of the next federal fiscal year (October 1), one year of funding is lost and the new fiscal year funding becomes available (if Congress has appropriated funds).
- Although the funds are appropriated for the airport, an application process for funding is required. A resolution authorizing an application to be submitted is a requirement of the funding application.
- The City requested consideration of the using the 2017 appropriation to construct the fuel truck access road at the municipal airport. The fuel access road was bid as alternate #1 with Bid 2016-559. The commission awarded the base bid on August 29, 2016 but took no action on the alternates.
- The FAA has indicated funding is available that may allow the City to proceed with the award of the alternate to allow construction to occur this spring. There are several items that staff is awaiting response from both FAA and our airport consultant.
- This specific item is to approve a resolution which authorizes the City to submit an application for funding.

## FISCAL INPUT / FINANCE DEPARTMENT

- The City is unable to fund the improvements to the airport without the federal funding. The FY17 Annual Budget will require Special Budget Resolution if FAA funding is approved.

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**SUPPORT DOCUMENTS:** Resolution 2017-1043

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Resolution 2017-1043  
Authorizing Submission of Application to the Federal Aviation Administration

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CITY OF AZTEC  
RESOLUTION NO. 2017-1043

**A Resolution Authorizing Submission of an Application for Airport Aid to the Federal Aviation Administration (FAA) and Obligation of Sponsor Matching Funds. The project shall consist of the construction of a fuel truck access road.**

**WHEREAS** the governing body of the City of Aztec is applying to the Federal Aviation Administration (FAA) for 90.0% assistance toward the project through the Airport Improvement Program (AIP) which FAA commitment cannot be formally made until a grant offer is made and accepted, and is anticipating 5% assistance from the NMDOT – Aviation Division (NMDOT – AV), and time is of the essence to secure the FAA funding and

**WHEREAS** the project is within the City jurisdiction, and is necessary for the public good and convenience and is to serve the users of the Aztec Municipal Airport and

**WHEREAS** the City of Aztec is committed to appropriating funds to match the remaining 5% of the project cost in accordance and consistent with the regulations and policies governing the FAA- AIP program and the NMDOT – AV Division grant conditions,

**NOW, THEREFORE** be it resolved that the governing body of the City of Aztec hereby adopts and approves this resolution and authorizes Mayor Sally Burbridge to execute all documents related to the project and directs staff to take actions necessary to implement and fund this resolution and project.

**Passed, Adopted and Approved** this 28<sup>th</sup> day of March 2017.

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Sally Burbridge, Mayor

Attest:

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Karla Sayler, City Clerk

# Staff Summary Report

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<b>MEETING DATE:</b>	March 28, 2017
<b>AGENDA ITEM:</b>	IX. CONSENT AGENDA (H)
<b>AGENDA TITLE:</b>	Resolution 2017-1044 Authorizing the Acceptance and Mayor's Signature on the Aztec Airport Fuel Truck Access Road Project FAA Federal Grant Offer Once Received

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<b>ACTION REQUESTED BY:</b>	Finance Department
<b>ACTION REQUESTED:</b>	Approval of Resolution 2017-1044 Authorizing the Acceptance and Mayor's Signature on the Aztec Airport Fuel Truck Access Road Project FAA Federal Grant Offer Once Received
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- If the funding application is approved by the Federal Aviation Administration (FAA) Consent Item G, funding documents will be required to be executed quickly to allow the FAA to provide a fully executed agreement back to the City and the City to advise the contractor to amend their scope of construction at the airport.
- This resolution authorizes the Mayor to sign the federal funding offer when received by the City.

## FISCAL INPUT / FINANCE DEPARTMENT

- The City is unable to fund the improvements to the airport without the federal funding. The FY17 Annual Budget includes the construction project and the federal grant funding.

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**SUPPORT DOCUMENTS:** Resolution 2017-1044

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Resolution 2017-1044 FAA Funding Acceptance and Mayor's Signature on the Aztec Airport Fuel Truck Access Road Project FAA Federal Grant Offer Once Received

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CITY OF AZTEC  
RESOLUTION 2017-1044

**AUTHORIZING THE ACCEPTANCE AND MAYOR'S SIGNATURE ON THE AZTEC AIRPORT CONSTRUCTION OF FUEL TRUCK ACCESS ROAD FEDERAL AVIATION ADMINISTRATION FEDERAL GRANT OFFER WHEN RECEIVED**

**WHEREAS**, the City has accepted funding assistance from the NMDOT Aviation Division for the design of improvements to the terminal apron, new connector taxiway and fuel truck access road at the Aztec Municipal Airport, and

**WHEREAS**, the City solicited bids on the partial reconstruction of the terminal apron and construction of new connector taxiway, including the fuel truck access road as alternate number one, and bids received were held for a maximum of 90 days from August 10, 2016 before official award to secure sufficient funds through the Federal Aviation Administration (FAA) and NM DOT Aviation Division; and

**WHEREAS**, the contractor, Oldcastle SW Group Inc., has agreed to hold the Alternate 1, Fuel Truck Access Road, bid beyond the 90 days of the original bid to secure sufficient funds through the FAA and NMDOT Aviation Division; and

**WHEREAS**, pertinent material specific to the construction bid and funding request has been submitted to FAA; and

**WHEREAS**, the Mayor's acceptance and signature will be required when the Federal Grant Offer is received;

**NOW, THEREFORE** be it resolved that the governing body of the City of Aztec hereby adopts this Resolution authorizing the acceptance and mayor's signature on the Aztec Airport Fuel Truck Access Road Project FAA Federal grant when received.

**Passed, Adopted and Approved** this 28<sup>th</sup> day of March 2017.

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Sally Burbridge, Mayor

Attest:

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Karla Sayler, City Clerk

# Staff Summary Report

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<b>MEETING DATE:</b>	March 28, 2017
<b>AGENDA ITEM:</b>	IX. CONSENT AGENDA (I)
<b>AGENDA TITLE:</b>	Bid 2016-559 Airport Terminal Apron Alternate 1 Fuel Truck Access Road

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<b>ACTION REQUESTED BY:</b>	Finance, Public Works
<b>ACTION REQUESTED:</b>	Award of Alternate 1 Bid Contingent Upon Secured Project Funding
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- The City requested bids for reconstruction of the airport terminal apron which has deteriorated significantly over the years. The bid includes the base bid for the reconstruction of the apron and new connector taxiway and two alternatives – #1 construct a fuel truck access road and #2 to expand apron paving to other asphalt area around hangers and parking areas.
- The base bid was awarded in August to Oldcastle SW Group, funding agreements secured and the Notice to Proceed was issued in March 2017.
- The FAA advised additional funds may be available now to award alternate 1, fuel truck access road. Oldcastle has agreed the alternate one bid amount is valid. The award of alternate #1 will be contingent upon the securing of FAA/ NMDOT Aviation funds.

## PROCUREMENT / PURCHASING

- The Invitation to Bid (ITB) was published on the city website and advertised in the Daily Times on Sunday July 17, 2016. A non-mandatory pre-bid conference was held on July 26, 2016 and bids were opened on August 10, 2016.
- One responsive bid was received from Oldcastle SW Group
  - Base Bid: \$719,446.53 (engineer estimate \$459,729.18)
  - Alternate 1 \$ 66,635.08 (engineer estimate \$ 37,026.00)
  - Alternate 2 \$357,408.00 (engineer estimate \$146,000.00)
- In accordance with state statute, the city negotiated a 10% reduction with Oldcastle SW Group, sufficient to allow the City to award the base bid.
  - Base Bid Negotiated and Awarded: \$647,448.44
- Alternate One – Construction of fuel truck access road: \$66,635.08

- NMDOT Aviation Division (NMDOT-AV) and the Federal Aviation Administration (FAA) must review the bid documents and provide concurrence (documents are under review). For this reason, the motion includes the award is contingent on both alternate bid concurrence and secured project funding.

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**FISCAL INPUT / FINANCE DEPARTMENT**

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- The Aztec Municipal Airport is eligible for \$150,000 annual appropriation through the FAA Airport Improvement Program (AIP). These funds may accumulate for a maximum of four years, or \$600,000. If the funds are not obligated by the beginning of the next federal fiscal year (October 1), one year of funding is lost and the new fiscal year funding becomes available (if Congress has appropriated funds).
- This project will use a portion of the 2017 AIP funds. Any unexpended funds from the 2017 AIP appropriation will be carried for a maximum of four years.
- The City was submitted the fuel truck access road for 2017 AIP funds in December 2016 and received notification on March 17, 2017 of funding availability.
- If funding is secured, a Special Budget Resolution will be required to establish a budget for this project.

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**SUPPORT DOCUMENTS:** Bid 2016-559 Tabulation

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Award Bid 2016-559 Airport Terminal Apron, Alternate 1 Fuel Truck Access Road

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**AZTEC MUNICIPAL AIRPORT**  
**RECONSTRUCT TERMINAL APRON**  
 AIP Project No. 3-35-0056-004-2016  
 NMAD Grant # N19-17-XX  
 City of Aztec Control #2016-559

ITEM NO.	SPECIFICATION ITEM NUMBER	ITEM DESCRIPTION	UNIT TYPE	ESTIMATED QUANTITY	Engineer's Estimate		OLDCASTLE SW GROUP ORIGINAL BID		OLDCASTLE SW GROUP NEGOTIATED BID	
					UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
<b>BASE BID</b>										
1	A-101-5.1	Construction Surveying by Contractor Base Bid	LS	1.00	31,168.08	31,168.08	42,432.00	42,432.00	39,500.00	39,500.00
2	A-621-5.1	Mobilization/Demobilization Base Bid	LS	1.00	38,960.10	38,960.10	162,703.71	162,703.71	146,400.00	146,400.00
3	P-101-5.1	Pavement Removal	SY	8,560.00	4.00	34,240.00	5.54	47,422.40	4.97	42,543.20
4	P-152-4.1	Unclassified Excavation	CY	4,000.00	8.00	32,000.00	16.79	67,160.00	15.07	60,280.00
5	P-152-4.2	Scarify and Compact Subgrade	SY	6,353.00	3.50	22,235.50	3.04	19,313.12	2.73	17,343.69
6	P-209-5.1	Crushed Aggregate Base Course	CY	1,757.00	70.00	122,990.00	77.50	136,167.50	69.55	122,199.35
7	P-401-8.1	Bituminous Surface Course	TON	1,174.50	125.00	146,812.50	142.18	166,990.41	127.59	149,854.46
8	P-602-5.1	Bituminous Prime Coat	TON	8.70	900.00	7,830.00	732.93	6,376.49	657.74	5,722.34
9	P-603-5.1	Bituminous Tack Coat	TON	2.90	750.00	2,175.00	732.93	2,125.50	657.74	1,907.45
10	P-620-5.1	Runway and Taxiway Painting	SF	1,134.00	2.00	2,268.00	2.60	2,948.40	2.33	2,642.22
11	P-620-5.3	Reflective Media	LB	70.00	5.00	350.00	6.50	455.00	5.83	408.10
12	D-701	Drainage Pipe (18" RCP)	LF	80.00	65.00	5,200.00	277.14	22,171.20	248.71	19,896.80
13	T-901-5.1	Seeding	ACRE	0.60	5,000.00	3,000.00	2,398.50	1,439.10	2,152.43	1,291.46
14	S-1	Tie-Down Anchors	EA	21.00	500.00	10,500.00	1,987.70	41,741.70	1,783.78	37,459.38
<b>ADDITIVE ALTERNATE 1 - FUEL TRUCK ACCESS ROAD</b>										
15	P-152-4.1	Unclassified Excavation	CY	500.00	8.00	4,000.00	45.03	22,515.00		
16	P-152-4.2	Scarify and Compact Subgrade	SY	616.00	3.50	2,156.00	4.55	2,802.80		
17	P-209-5.1	Crushed Aggregate Base Course	CY	180.00	70.00	12,600.00	81.98	14,756.40		
18	P-401-8.1	Bituminous Surface Course	TON	138.60	125.00	17,325.00	185.82	25,754.65		
19	P-602-5.1	Bituminous Prime Coat	TON	0.80	900.00	720.00	732.93	586.34		
20	P-603-5.1	Bituminous Tack Coat	TON	0.30	750.00	225.00	732.93	219.88		
<b>ADDITIVE ALTERNATE 2 - APRON PAVING</b>										
21	S-2	Additional Apron Paving	SY	5,840.00	25.00	146,000.00	61.20	357,408.00		
TOTAL BASE BID (ITEMS 1THROUGH 14)						459,729.18		719,446.53		647,448.44
TOTAL ADDITIVE ALTERNATE 1 (ITEMS 15-20)						37,026.00		66,635.08		-
TOTAL ADDITIVE ALTERNATE 2 (ITEM 21)						146,000.00		357,408.00		-
TOTAL BASE AND ADDITIVE ALTERNATES						642,755.18		1,143,489.60		647,448.44

# Staff Summary Report

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<b>MEETING DATE:</b>	March 28, 2017
<b>AGENDA ITEM:</b>	XII. BUSINESS ITEM (A)
<b>AGENDA TITLE:</b>	Final Adoption of Ordinance 2017-455 Amending the Municipal Code of Aztec, New Mexico, 2007, Chapter 16, Article IV, Division 4, Sec 16-211 Solid Waste Rates

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<b>ACTION REQUESTED BY:</b>	Finance Department
<b>ACTION REQUESTED:</b>	Approve Final Adoption of Ordinance 2017-455 Amending the Municipal Code of Aztec, New Mexico, 2007, Chapter 16, Article IV, Division 4, Sec 16-211 Solid Waste Rates
<b>SUMMARY BY:</b>	Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- Intent to Adopt the Ordinance was approved at the February 28, 2017 commission meeting.
- The previous business item was the approval of the solid waste collection agreement with Transit Waste with an effective date of March 1, 2017.
- The rates established within the agreement require an increase to the solid waste collection rates billed to city customers. Due to the time required for ordinance approval and effective date, the rates billed to customers in March will be at the current rates but amounts paid to Transit Waste will be as established under the new agreement.
- Rates proposed in this ordinance only meet the requirements of the contract and do not provide additional funds to the City for the recycling center or administrative costs. The Solid Waste Fund currently has sufficient cash reserves to cover these additional costs until a decision is made regarding curbside recycling and potential rate increases for remaining city provided utilities.

### NEW RATES TO OLD RATES (monthly)

- Residential Customers:
  - 96 Gallon Cart, 1 x week      no change to existing rate
  - Extra Cart, 1 x week      \$1.96 increase, 65% increase
  - 2 x week pickup is a new option for residential customers

- Commercial Customers & City Facilities

Size	1 x week	2 x week	3 x week	4 x week	5 x week	6 x week
1 cart	\$1.00 inc 7.15%	New option	N/A	N/A	N/A	N/A
2 cart	\$1.99 inc 7.12%	New option	N/A	N/A	N/A	N/A
2 Yard	\$4.84 inc 8%	\$7.62 inc 8%	\$10.39 inc 8%	\$13.16 inc 8%	\$15.89 inc 8%	\$18.67 inc 8%
3 Yard	\$5.62 inc 8%	No chg	\$14.08 inc 8%	\$18.31 inc 8%	\$22.55 inc 8%	\$26.78 inc 8%
4 Yard	\$6.72 inc 8%	No chg	\$15.49 inc 8%	\$19.88 inc 8%	\$24.27 inc 8%	\$28.66 inc 8%
6 Yard	\$8.81 inc 8%	No chg	\$19.44 inc 8%	\$24.76 inc 8%	\$30.06 inc 8%	\$35.18 inc 8%
8 Yard	\$11.74 inc 8%	No chg	\$22.95 inc 8%	\$28.54 inc 8%	\$34.15 inc 8%	\$39.75 inc 8%

### New Material from Intent to Adopt

- Last rate increase:** The last rate increase to customers for solid waste collection services was October 2008 and was a 10% increase. Since that time, the Solid Waste Fund has absorbed cost increases for solid waste collection rather than pass those increases to the customer.
- Solid Waste Fund Cash Reserve:** The result of absorbing collection service cost increases has been the cash reserve balance decreasing annually due to costs exceeding revenue. The projected cash reserve for the Solid Waste Fund for the end of this fiscal year is \$45,893, the ending balance as of June 30, 2016 was \$133,440. The cause - while solid waste rates were covering the cost of the collection services, they are not sufficient to cover the costs associated with the recycling center and trash roll off available to the public at the recycling center. This rate increase will cover the cost of the collection services but does not address the costs associated with the recycling center and trash roll off.
- Commercial Service:** Commercial Services by Size of Container as Provided in Request for Proposals October 2016. As customers change their service, this table may not reflect commercial customer solid waste service as of February 2017.

Trash Receptacle Size	Number of Customers	Pickup Frequency	Estimated Monthly Increase per Customer + Tax
Polycarts	73	1 x week	\$1.00
Polycarts – 2 carts	34	1 x week	\$1.99
Polycarts – 3 carts	4	1 x week	\$2.99
2 CY Dumpster	16	1 x week	\$4.84
2 CY Dumpster	3	2 x week	\$7.62
3 CY Dumpster	34	1 x week	\$5.62

Trash Receptacle Size	Number of Customers	Pickup Frequency	Estimated Monthly Increase per Customer + Tax
3 CY Dumpster	11	2 x week	No change
3 CY Dumpster	6	3 x week	\$14.08
3 CY Dumpster – 2 units	2	2 x week	No change
3 CY Dumpster – 2 units	1	5 x week	\$45.00
3 CY Dumpster – 3 units	1	1 x week	\$11.24
4 CY Dumpster	21	1 x week	\$6.72
4 CY Dumpster	7	2 x week	No change
4 CY Dumpster	1	3 x week	\$15.49
4 CY Dumpster	1	5 x week	\$24.27
6 CY Dumpster	14	1 x week	\$8.81
6 CY Dumpster	9	2 x week	No change
6 CY Dumpster	5	3 x week	\$19.44
6 CY Dumpster – 2 units	1	1 x week	\$17.62
6 CY Dumpster – 2 units	1	3 x week	\$38.88
6 CY Dumpster – 2 units	1	4 x week	\$49.52
6 CY Dumpster – 2 units	1	5 x week	\$60.12
8 CY Dumpster	7	1 x week	\$11.74
8 CY Dumpster	2	2 x week	No change
8 CY Dumpster	3	3 x week	\$22.95
8 CY Dumpster	1	4 x week	\$28.54
8 CY Dumpster	2	5 x week	\$68.30
8 CY Dumpster	2	6 x week	\$79.50
8 CY Dumpster – 2 units	2	2 x week	No change

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**SUPPORT DOCUMENTS:** Ordinance 2017-455

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Final Adoption of Ordinance 2017-455 Amending the Municipal Code of Aztec, New Mexico, 2007, Chapter 16, Article IV, Division 4, Sec 16-211 Solid Waste Rates

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**CITY OF AZTEC**  
**ORDINANCE 2017-455**  
**An Ordinance Amending the Municipal Code of Aztec, New Mexico, 2007, Chapter 16,**  
**Article IV, Division 4, Sec 16-211 Solid Waste Rates**

**WHEREAS**, pursuant to Section 21-21, the City of Aztec has authorized Waste Corporation of America (dba Transit Waste) as a contractor to collect all refuse within the City and to areas outside the corporate limits that are currently being served any utilities by the city; and

**WHEREAS**, pursuant to Section 21-47, the rates for residential and commercial refuse collection inside the current corporate limits requires an adjustment in rates as a result of the current contract awarded to Waste Corporation of America (dba Transit Waste) for services beginning in April 2017;

**WHEREAS**, the City shall bill Governmental Gross Receipts taxes and a non-taxable transaction certificate will be issued to the Contractor.

**NOW, THEREFORE, BE IT RESOLVED** that the Aztec City Commission provide the following as new rates to be charged for garbage collection and disposal in the corporate limits of the City of Aztec.

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**ARTICLE IV. UTILITY FEES**

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**DIVISION 4. SOLID WASTE FEES**

**Sec. 16-211. Solid Waste Rates.**

1. Residential Trash Service.

- |   |                |
|---|----------------|
| (1) All single family residents, duplexes, and apartments.<br>Each unit – Cart (1 x Week) | <b>\$10.39</b> |
| (2) Extra Cart (1 x Week)   | <b>\$ 5.00</b> |
| (3) All single family residents, duplexes, and apartments.<br>Each unit – Cart (2 x Week) | <b>\$18.39</b> |
| (4) Extra Cart (2 x Week)   | <b>\$23.39</b> |

2. Multi-Unit Residential Trash Service.

- |   |                |
|---|----------------|
| (1) All single family residents, duplexes, and apartments.<br>Each unit – Cart (1 x Week) | <b>\$10.39</b> |
| (2) Extra Cart  | <b>\$ 5.00</b> |
| (3) All single family residents, duplexes, and apartments.<br>Each unit – Cart (2 x Week) | <b>\$18.39</b> |
| (4) Extra Cart (2 x Week)   | <b>\$23.39</b> |

3. Commercial Trash Service.

Size	Frequency					
	1 x Week	2 x Week	3 x Week	4 x Week	5 x Week	6 x Week
1 Cart	14.97	26.97	N/A	N/A	N/A	N/A
2 Carts	14.97	26.97	N/A	N/A	N/A	N/A
2 Yard	65.35	102.84	140.31	177.72	215.27	252.09
3 Yard	75.92	118.41	190.10	247.23	304.37	361.48
4 Yard	90.71	138.83	209.17	268.39	327.69	386.89
6 Yard	118.89	176.53	262.38	334.32	405.75	474.94
8 Yard	158.55	216.83	309.78	385.34	461.00	536.62

4. City Facilities Trash Service

Size	Frequency					
	1 x Week	2 x Week	3 x Week	4 x Week	5 x Week	6 x Week
1 Cart	14.97	26.97	N/A	N/A	N/A	N/A
2 Carts	14.97	26.97	N/A	N/A	N/A	N/A
1 Yard						
2 Yard	65.35	102.84	140.31	177.72	215.27	252.09
3 Yard	75.92	118.41	190.10	247.23	304.37	361.48
4 Yard	90.71	138.83	209.17	268.39	327.69	386.89
6 Yard	118.89	176.53	262.38	334.32	405.75	474.94
8 Yard	158.55	216.83	309.78	385.34	461.00	536.62
	Delivery Fee	Exchange Fee				
30 Yard Rolloff	79.00	405.00				
40 Yard Rolloff	79.00	474.00				
TREATED SLUDGE REMOVAL (EMPTY AND RETURN FEE)						
20 Yard	\$400.00 plus fees					