

**A G E N D A
CITY OF AZTEC
CITY COMMISSION WORKSHOP
May 8, 2018
201 W. Chaco, City Hall
5:15 p.m.**

5:15-6:00 p.m.

Water Conservation Plan

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.

Staff Summary Report

MEETING DATE:	May 8, 2018
AGENDA ITEM:	Workshop
AGENDA TITLE:	Water Conservation Plan

ACTION REQUESTED BY:	Staff
ACTION REQUESTED:	Discussion on Water Conservation Plan Update
SUMMARY BY:	City Staff

PROJECT DESCRIPTION / FACTS

As the City approaches a drought condition, staff has reviewed the Water Conservation Plan. This plan was originally created and adopted by the City Commission when the 2002 drought occurred and the City was required to undertake conservation measures due to water shortage.

Significant things have changed since that drought such as hanging plant baskets along Main Ave, construction of a Splash Park, and additional landscape areas (e.g., some medians with grass and tree plantings).

Staff has reviewed the Water Conservation Plan and have made some changes to accommodate the changes since the last enactment of the Water Conservation Plan. The most significant change has to been to make Stage 1 voluntary without penalties and keep Stages 2, 3, and 4 mandatory with penalties.

If the City Commission is satisfied with the current Water Conservation Plan, then they will be asked to approve an ordinance to adopt the revised Water Conservation Plan.

SUPPORT DOCUMENTS:	Water Conservation Plan
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DEPARTMENT'S RECOMMENDED MOTION:	Discussion Only
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WATER CONSERVATION PLAN

2018

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Section 1. Purpose

A plan pertaining to the regulation, conservation and restriction of the use of water from the City of Aztec, New Mexico water system and establishing a water conservation plan applicable to all citizens, businesses, industrial and governmental customers serviced by the city's water system.

The City deems it necessary to create a water conservation program to conserve on the amount of water used by citizens, businesses, industrial, and governmental customers serviced by the City's Water System and thereby implements water conservation measures to establish attainable benefits.

1. A reduction of water use resulting in decreased demand, decreases in customers' water bills, and a reduction in per capita water consumption.
2. Conservation and preservation of the current water supplies while additional sources of water are identified and brought into production thus preserving the quality of life and general welfare of the citizens of the City.
3. Establishing and implement policies that create best water use practices for City water customers in a semi-arid area.
4. Creating opportunities for customers to realize economic benefits through the conservative use of water.



Section 2. Public Notice

1. Public notice of “Potential Water Shortage” shall be in effect, no later than May informing when the Water Chief Operator has identified average water content amounts at the City’s diversion point(s). Public notices may occur at any time during the aforementioned period.
2. The City’s Water Chief Operator shall report information to the City Manager describing average daily river flows, daily water consumption and current reservoir storage as well as average snow water equivalent. Said information will be provided throughout the entire year. Public announcements may occur at any time.
3. The City Manager and Staff shall inform the general public through local news media or other public forums the implementation of Drought Condition Stages and provide information and resources on how to conserve water. Furthermore, the City Utility Billing Department shall provide a notice to Water Customers about the implementation of “STAGES” through the Customer Utility Bills.
4. The Water Chief Operator and/or the City Manager shall consult with the Office of the State Engineer and other appropriate agencies, including ditch officials, water districts and other pertinent organizations to maximize the effectiveness of City water conservation policies.



Section 3. Signage and Literature Distribution

1. Notifications and Postings

The City will notify all entities through utility billing, social media, and the City's web site (www.aztecm.gov). The size of postings shall not be less than 8.5 by 11 inches. Entities shall display a water conservation sign which will reference Section 25-86 of the City Code which establishes the City's Water Conservation Plan. Postings shall be displayed in a visible location.

2. Public, Semi-Public, and Governmental Restroom and Shower Facilities

These facilities shall post at least one water conservation sign at each restroom or shower room or room(s) adjacent thereto.

3. Hotels, Motels, Beds and Breakfasts, and Lodging Facilities

These facilities shall include a water conservation informational card or brochure in a visible location in each guest room. Lodging facilities are strongly encouraged to offer their guests the option of not having daily linen and towel changes for multiple night stays.

4. Retail Plant Nurseries

Retail plant nurseries shall provide their "end use customers" with low-water use landscape literature and water efficient irrigation guidelines at the time of sale of any outdoor perennial plants. An "end-use customer" is the person or persons who will ultimately own the plant material. A landscape contractor or architect is not an end-use customer. In order to facilitate the purchasing of low water use plants, nurseries are strongly encouraged to tag or sign their low-water use plants.

5. Landscape Contractors and Architects

Landscape contractors and architects shall provide their prospective clients with low-water use landscape literature and water efficient irrigation guidelines at the time of presenting a service contract to the prospective client. Landscape professionals are strongly encouraged to educate their customers regarding the operation of their timed irrigation systems.

6. Realtors, Title Companies, Attorneys, Banks, and Other Closing Real Estate Transactions

These individuals and/or entities shall provide the party purchasing a home, business, or property with indoor and outdoor water conservation literature at the time of closing.

7. City Departments

The City shall provide indoor and outdoor conservation literature or resources for such information to all customers and entities initiating new water service from the City of Aztec. Information will be available in the Administration, Planning, Public Works, Public Library, and Utility Departments.



Section 4. Indoor Water Conservation

1. Water System Leaks from Private Water Lines

Leaks shall be repaired by the owner or property manager within 15 days of initial notification by the water utility. Proof of repair shall be provided to the water utility upon completion of the repair.

2. Water Conservation Plumbing

All new and remodeling construction shall meet the following standards and notification will be provided by the Authority having jurisdiction.

- (1) Restrooms. Restrooms, either flush tank, flushometer tank, or flushometer valve operated, shall have an average consumption of not more than 1.6 gallons (6.1 liters) of water per flush.
- (2) Urinals. Urinals shall have an average water consumption of not more than 1.03 gallons (3.8 liters) per flush
- (3) Non-Metered Faucets. Lavatory and kitchen faucets shall be equipped with aerators and shall be designed and manufactured so that they will not exceed a water flow rate of 2.5 gallons (9.5 liters) per minute.
- (4) Metered Faucets. Self-closing metering faucets shall be installed on lavatories intended to serve the transient public, such as those in, but not limited to, service stations, airports, restaurants, and convention halls. Metered faucets shall deliver not more 1.5 gallons (5.7 liters) per use.
- (5) Shower Heads. Shower heads shall be designed and manufactured so that they will not exceed a water supply flow rate of 2.5 gallons (9.5) liters per minute. Emergency safety showers are exempted from this provision.
- (6) Installation. Water-conserving fixtures shall be installed in strict accordance with the manufacturers' instructions to maintain rated performance.
- (7) Washing Machines. High efficiency front loader washing machines are highly recommended and shall be promptly installed, except where representatives agree that installation not economically feasible.

3. Eating Establishments

All public and private eating establishments shall provide water only upon request. Catering and banquet operations are exempt from this requirement.



Section 5. Irrigation and Other Outdoor Uses

If utilizing City provided water for irrigation purposes and unless otherwise specified differently in Section 8, the following outdoor water irrigation conservation measures shall be observed at all times during announced water shortages:

1. Irrigation of lawns, trees bushes, shrubs, gardens, flowers, and all types of vegetative matter shall occur only during the early morning from 4:00 a.m. to 10:00 a.m. or late evening from 6:00 p.m. to 10:00 p.m. No watering is allowed if winds are moderate breezy conditions (13-18 mph as defined by Beaufort Wind Scale) or greater. Sprinklers shall be shut off when it is raining.
2. Irrigation shall be permitted on “even” numbered calendar days at locations with even numbered street addresses and “odd” numbered calendar days at locations with odd numbered addresses. These restrictions shall apply to all residents and all businesses, institutions and industrial facilities, using City provided water, possessing lawns, golf courses, gardens, trees or shrubs and shall also apply to all public parks, medians and public and private properties owned by the City, County, and State. These restrictions shall also apply to any person, firm or corporation engaged in the business of growing or selling plants.
3. A customer shall not let water leave the customer’s property by drainage onto adjacent properties or public or private roadways or streets due to excessive irrigation and/or uncorrected leaks.
4. Shut off nozzles shall be required on all hoses used for hand watering, washing of vehicles, or any other type of outdoor water use.
5. Homes, commercial establishments, and governmental entities that have large landscaped areas where daily active use, water pressure limitations, or inadequate irrigation equipment that restricts the owner’s ability to irrigate within the time limits of Section A and Section B above, may designate a portion of its landscape area as “even” and a portion as “odd”. The Water Department or Manager’s office shall be advised of this designation prior to irrigating. The owner shall submit an irrigation plan with a detailed map showing “even” and “odd” irrigation areas.
6. Individuals or entities that own ditch rights for irrigating lands also served by City water shall use ditch supplies thereon, to the extent available, prior to the use of City water. Likewise, owners of private wells authorized for such use will pump such wells for outdoor irrigation prior to, and in lieu of use of City water thereon, to the extent such well-water is available.

Section 6. Exceptions

Unless otherwise specified differently in Section 8, the following irrigation methods and types of uses are exempt from Section 5.

1. Sod and Landscaping

Newly installed sod and landscaping, prior to Stage 1 or 2. Due to the need of newly installed sod and landscaping to establish a root system, a sixty (60) day exemption period may be allowed. Residents, commercial establishments, and all other entities shall apply for said sixty (60) day exemption by advising the Utility Billing Office (during regular business hours, Monday through Thursday) and if approved, providing a copy of a proper bill of sale. The sixty (60) day exemption shall be effective beginning the day of the date of the bill of sale. Violators will be subject to Section 10, wherever ditch rights, water district/association rights or private wells are lawfully available for this purpose; such waivers shall not be granted, in whole or in part. The exemption is for newly installed turf sod or landscaping only and not for other new or existing landscaping (trees or shrubs). Nursery Stock-Plants being irrigated for retail or wholesale are exempt.

2. Irrigation Using Treated Effluent

Prior to the application of treated effluent, under written agreement with the City, the proper notice of intent from seeking approval from the New Mexico Environment Department must be completed. Copies of the completed form and of the Notice of Approval shall be provided to the Utility Billing Office (during regular business hours, Monday through Thursday) prior to the use of treated effluent.

3. Timed Irrigation Systems

Landscape companies, property owners, licensed plumbers or individuals setting timed irrigation systems shall ensure that systems comply with time and day restrictions. Ultimate responsibility for compliance lies with the property owner.

4. Water Treatment and Waste Water Treatment Plants

The City of Aztec Water Treatment and Waste Water Treatment Plants are exempt from the ordinance in its maintenance practices of washing down and back flushing of equipment using treated water.



Section 7. Drought Condition Measures

The City Manager, upon consultation with the City Commission and the Water Chief Operator, shall determine when each stage is to be implemented based on operational requirements and predicted/actual water supply limitations. Implementation of stages may not be sequential and the duration will be determined by the City Manager, upon consultation with the City Commission and the Water Chief Operator. The following stages of water conservation measures will be implemented when conditions are warranted.

Stage 1

Stage 1 Water Conservation is voluntary and the following subsections are recommendations to the public with respect to water use and conservation.

- (1) ~~No~~ Customers shall using any city provided water to irrigate any lawn, garden, tree or shrub should use water except between the hours of 4:00 a.m. and 10:00 a.m. and/or between the hours of 6:00 p.m. and 10:00 p.m. of any day on which irrigation is permitted scheduled. ~~No watering will be allowed~~ Watering should not be done if windy conditions greater than 12 mph exist.

Address	Water On	Times Permitted
Even Numbered	Even Numbered Days	4:00 a.m. and 10:00 a.m. AND/OR 6:00 p.m. and 10:00 p.m.
Odd Numbered	Odd Numbered Days	4:00 a.m. and 10:00 a.m. AND/OR 6:00 p.m. and 10:00 p.m.

These restrictions shall are recommended apply to all residents, businesses, institutions and industrial facilities, irrigating with City provided water possessing lawns, gardens, trees or shrubs and shall also apply to all parks and properties owned by the City, County and State. These restrictions shall not apply to a person, firm, or corporation engaging in business of growing or selling plants. To avoid conflicting with publicly scheduled water usage and to minimize impacts to reserves at the water plant facility, an alternate schedule for City parks may be authorized by the City Manager when provided by the General Services Department.

- ~~(2) Concrete, cement, asphalt, or other impervious surfaces shall should not be washed down with City provided water through a hose unless there is a hazard to be removed. Washing down of impervious surfaces is permissible if water has been transported. The Water Department, Public Works and the Fire Department shall be advised of said hazard. Surfaces include, but are not limited to, sidewalks, parking lots, ramps and loading docks.~~
- (3) Swimming pools and spas/hot tubs filled prior to the implementation of Stage 1 and utilizing city treated water shall should not add water to make up losses

through evaporation of splashing, through draining or through leaks while Stage 1 is in effect. Unless the water is transported in from another source or means, swimming pools and spas/hot tubs ~~cannot~~ **should not** be filled with city provided water ~~once Stage 1 or any other subsequent stage has been implemented~~. Any enclosed swimming pool owned by the municipality or public school is exempt.

- ~~(4) All restaurants are prohibited from serving water to their customers except when specifically requested by the customer(s).~~
- (5) ~~Ornamental fountains~~ **Water features** may operate if they re-circulate water but not when winds exceed 12 mph. Ornamental fountains that do not re-circulate water are prohibited.
- (6) Use of water from fire hydrants shall be limited to fire fighting, related activities or other activities necessary to maintain the health, safety, and welfare of the citizens served by the municipal water system. Metered use of hydrants may be allowed at the Water Chief Operator discretion. The Fire Chief shall restrict floor washing at fire stations to when absolutely necessary.
- (7) No water shall be used to wash vehicles except at places of businesses whose service include the washing of vehicles where high pressure wash is utilized either by self service or fully automated process or vehicle dealerships which utilize high pressure wash equipment. Washing of vehicles at such businesses is permitted for the entire week.

Stage 2

Stage 2 Water Conservation is mandatory and warnings will be given. Citations or penalties will be issued for repeat offenders.

- (1) No customer shall use any city provided water to irrigate any lawn, garden, tree or shrub except between the hours of 4:00 a.m. to 10:00 a.m. or between the hours of 6:00 p.m. to 10:00 p.m. of any day on which irrigation is permitted. No watering will be allowed if windy conditions greater than 12 mph exist.

Address	Water On	Times Permitted
Even Numbered	Wednesdays & Saturdays Only	4:00 a.m. and 10:00 a.m. OR 6:00 p.m. and 10:00 p.m.
Odd Numbered	Thursdays & Sundays Only	4:00 a.m. and 10:00 a.m. OR 6:00 p.m. and 10:00 p.m.

These restrictions shall apply to all residents, businesses, institutions and industrial facilities, irrigating with City provided water possessing lawns, gardens, trees, or shrubs and shall also apply to all parks and properties owned by the City, County and State. These restrictions shall not apply to a person, firm or corporation engaging in the business growing or selling plants. Persons or businesses growing or selling plants shall only use City provided water. To

avoid conflicting with publicly scheduled water usage and to minimize impacts to reserves at the water plant facility, an alternate schedule for City parks may be authorized by the City Manager when provided by the General Services Department.

- (2) Concrete, cement, asphalt, or other impervious surfaces ~~shall not~~ **can** be washed down with a hose or other means of transported water, ~~unless there is a hazard to be removed~~ **only on Tuesdays, Thursdays, and Saturdays. Washing of such impervious surfaces can only be done on other days if a health hazard exists.** The Water Department, Public Works and the Fire Department shall be advised of said hazard. Surfaces include, but are not limited to, sidewalks, parking lots, ramps and loading docks.
- (3) No swimming pools or spas/hot tubs will be filled and no City provided water shall be added to any swimming pool or spa/hot tub, unless the water is transported in from another source or means. Any enclosed swimming pool owned by the municipality or public school is exempt.
- (4) ~~All restaurants are prohibited from serving water to their customers except when specifically requested by the customer(s).~~
- (5) ~~Ornamental fountains~~ **Water features** may operate if they re-circulate water, but not when windy conditions exceeding 12 mph exist. ~~Ornamental fountains~~ **Water features** that do not re-circulate water are prohibited from operation. ~~Refilling with City supplied water is prohibited.~~
- (6) Use of water from fire hydrants shall be limited to fire fighting, related activities or other activities necessary to maintain the health, safety, and welfare of the citizens served by the municipal water system. Metered use of hydrants may be allowed at the Water Chief Operator discretion. The Fire Chief shall restrict floor washing at fire stations to when absolutely necessary.
- (7) No water shall be used to wash vehicles except at places of businesses whose service include the washing of vehicles where high pressure wash is utilized either by self service or fully automated process or vehicle dealerships which utilize high pressure wash equipment. Washing of vehicles at such businesses is permitted for the entire week.
- (8) **The City's Splash Park at Minium Park will be open only on Tuesdays, Thursdays, and Saturdays.**

Stage 3

Stage 3 Water Conservation is mandatory and citations or penalties will be issued upon first notice.

- (1) No customer shall use any city provided water to irrigate any lawn, garden, tree or shrub except between the hours of 4:00 a.m. to 10:00 a.m. or between the hours of 6:00 p.m. to 10:00 p.m. of any day on which irrigation is permitted. No watering will be allowed if windy conditions greater than 12 mph exist.

Address	Water On	Times Permitted
Even Numbered	Wednesdays Only	4:00 a.m. and 10:00 a.m. OR 6:00 p.m. and 10:00
Odd Numbered	Thursdays Only	4:00 a.m. and 10:00 a.m. OR 6:00 p.m. and 10:00

These restrictions shall apply to all residents, businesses, institutions and industrial facilities, irrigating with City provided water possessing lawns, gardens, trees, or shrubs and shall also apply to all parks and properties owned by the City, County and State. To avoid conflicting with publicly scheduled water usage and to minimize impacts to reserves at the water plant facility, an alternate schedule for City parks may be authorized by the City Manager when provided by the General Services Department.

- (2) Concrete, cement, asphalt, or other impervious surfaces shall not be washed down with a hose or other means of transported water, unless there is a hazard to be removed. The Water Department, Public Works and the Fire Department shall be advised of said hazard. Surfaces include, but are not limited to, sidewalks, parking lots, ramps and loading docks.
- (3) No swimming pools or spas/hot tubs will be filled and no City provided water shall be added to any swimming pool or spa/hot tub, unless the water is transported in from another source or means. Any enclosed swimming pool owned by the municipality or public school is exempt.
- (4) All restaurants are prohibited from serving water to their customers except when specifically requested by the customer(s).
- (5) All ~~ornamental fountains~~ **water features** are prohibited from operation.
- (6) Use of water from fire hydrants shall be limited to fire fighting, related activities or other activities necessary to maintain the health, safety, and welfare of the citizens served by the municipal water system. Metered use of hydrants may be allowed at the Water Chief Operator discretion. The Fire Chief shall restrict floor washing at fire stations to when absolutely necessary.
- (7) No water shall be used to wash vehicles except at places of businesses whose service include the washing of vehicles where high pressure wash is utilized by self service. Businesses, whose services include the washing of automobiles or vehicles, shall be allowed to use City provided water for washing of automobiles between the hours of noon and 8:00 p.m. for the entire week with automatic washers shut down completely. Washing of vehicles where the health, safety and welfare of the public is contingent upon frequent vehicle cleanings, such as refuse collection trucks and vehicles used to transport food and perishables, are exempt.
- (8) The City's Splash Park at Minium Park will be closed.**
- (9) No new accounts will be issued for bulk water sales, except new residential construction during Stage 3 and 4.

- (10) Emergency restrictions may also include City action to restrict the use of private wells and/or ditches, as deemed necessary by the State Engineers Office, to the extent authorized by State law.

Stage 4

Said emergency restriction may be temporary or long term based upon the nature of the emergency, and shall include, when and as necessary, municipal action as authorized by law, to take control of the Animas River System to protect it during actual or predicted drought conditions. The City Manager, Water Chief Operator and/or Staff shall make public announcements through the local news media defining Stage 4. Announcements shall describe the following restrictions.

- (1) All Stage 3 measures not otherwise addressed in this section will remain in effect.
- (2) No outside watering using City treated water or City irrigation water is allowed.
- (3) Residential water users will be provided water to the extent that the City of Aztec and the City of Bloomfield are capable of providing treated water.
- (4) Residential water sales will be subject to emergency water rates and will pay for usage above 15,000 gallons in the following manner:
16,000 to 25,000 gallons: \$5.⁰⁰ per 1,000 gallons
Greater than 25,000 gallons: \$10.⁰⁰ per 1,000 gallons
This will be in effect at the next full billing cycle.
- (5) Commercial water users will be provided water to the extent that the City of Aztec and the City of Bloomfield are capable of providing treated water. Further restrictions could be enforced depending upon the supply and availability of water.
- (6) Commercial water sales will be subject to emergency water rates and will pay an additional \$1.⁰⁰ per 1,000 gallons on all usage.
- (7) No water will be added to any pools or spas.
- (8) ~~ornamental fountains~~ **Water features and City's Splash Park at Minium Park** will not operate.
- (9) Exceptions to any of the above will be at the City Manager's discretion.



Section 8. Special Use and Restrictions

The following type of special uses and restrictions shall apply:

1. Landscape companies, properly licensed by the City of Aztec, shall comply with the following:
 - (1) Irrigation for maintenance service shall be conducted as per Section II. Irrigation during regular year round water conservation and Section VII during times when additional water conservation measures are deemed necessary.
 - (2) Irrigation systems for all new commercial and multi-family residential developments are to be installed with automatic timing controllers. Irrigation systems are to be designed to avoid over spray or drainage of water onto any paved or unplanted surface and follow same time and day restriction practices.
2. New construction or remodeling by Commercial Contractors and Private Individuals. Commercial Contractors are required to obtain the proper building permit. Said construction shall meet standards outlined in Section 4.



Section 9. Enforcement

The City Manager or designee to include but not limited to the Water Chief Operator, City Police Department, and Code Enforcement will enforce the Water Conservation Plan in the following manner:

1. Education

- (1) The City Manager, Water Chief Operator and other City Departments will inform the public of the water conservation measures of this Plan. Public information and education will be conducted for a reasonable time, with various methods, so as to allow the public to become informed of said conservation measures.
- (2) The City Administration Office, with assistance from the Water Chief Operator, will maintain a continuing education program concerning water conservation to include the measures of this Plan and supporting Ordinance throughout the year, as needed.

2. Violation and Penalties

The following procedure and applicable penalty will be used in addressing violations of the supporting Ordinance upon observation or reasonable suspicion of said violation.

- (1) The first violation shall result in the issuance of a notice of violation to the party committing said violation. The citation shall advise the party of the nature of the offense and of the section of the Plan and supporting Ordinance that has been violated. The result of the first violation shall be the distribution of a copy of this Plan and Supporting Ordinance and an education packet containing information on water conservation to the party committing the violation.
- (2) Upon observation of/or reasonable suspicion of a second violation, a citation shall be issued to the party violating this Plan and supporting Ordinance advising the party of specific violations and include penalty fee to be assessed through the Utility Billing. The penalty for the second violation will be consistent with the penalty noted in Section 10, depending on the declared stage of drought.
- (3) Repeated violations will be consistent with the penalty noted in Section 10, depending on the declared stage of drought.



Section 10. Violations and Penalties

All violations of Stage 1, 2, 3 and 4 shall come under the jurisdiction of the Municipal Court of Aztec, New Mexico. Fine monies will be placed in the Joint Utility Fund to offset reductions in revenue.

Terminations and re-establishments of services shall be determined by the City Manager with advice from the Police Department, Finance Director and the Water Chief Operator. Any person, business, institution or industrial plant found in violation of the supporting Ordinance shall be penalized as follows:

1. Stage 1 Penalties.

(1) Excessive misuse of water will be subject to a Notice.

~~(1) First Violation: Issuance of Notice of Violation as per Section 9.~~

~~(2) Second Violation: A penalty of \$50.⁰⁰ assessed through the Utility Billing.~~

~~(3) Third Violation: A penalty of \$75.⁰⁰ assessed through the Utility Billing.~~

~~(4) Fourth Violation: Water service may be restricted or suspended.~~

2. Stage 2 Penalties.

(1) First Violation: Issuance of Notice of Violation as per Section 9.

(2) Second Violation: A penalty of \$125.⁰⁰ assessed through the Utility Billing.

(3) Third Violation: Water service may be restricted or suspended.

3. Stage 3 Penalties.

(1) First Violation: Issuance of Notice of Violation as per Section 9.

(2) Second Violation: A penalty of \$175.⁰⁰ assessed through the Utility Billing.

(3) Third Violation: Water service may be restricted or suspended.

4. Stage 4 Penalties.

(1) First Violation: Issuance of Notice of Violation as per Section 9.

(2) Second Violation: A penalty of \$300.⁰⁰ assessed through the Utility Billing.

(3) Third Violation: Water service may be suspended.



Section 11. Definitions

Administrative Approval

May be granted by City Manager and/or Water Chief Operator.

City Provided Water

Water which is diverted or pumped from surface water and/or well sources and supplied to all citizens, businesses, industrial and governmental customers.

Drip Irrigation

Low pressure, low volume irrigation applied slowly, near or at ground level to minimize runoff and loss to evaporation.

Even-Numbered Properties

Properties who's official address ends in an even number. Landscaped areas associated with a building will use the number of that building as their address. Only one address shall be used for al large landscaped area associated with one building or activity, even if the landscaped area is broken into many separate sub-areas.

Odd-Numbered Properties

Properties who's official address ends in and odd number. Conditions except dates of watering are the same as *Even-Numbered Properties*.

Semi-Public

Any private clubs and/or fraternal organizations.

Service Area

All customers receiving water service from the City of Aztec water source.

Shut Off Nozzle

Device attached to end of hose that completely turns off the flow, even if left unattended.

Treated Effluent Water

A non-potable water source, which has been deemed acceptable for the intended use, by the State of New Mexico Environment Department.

Water Feature

Ornamental fountains, fish ponds, and splash park.

Water Waste

The non-beneficial use of water.

A G E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
May 8, 2018
201 W. Chaco, City Hall
6:00 p.m.

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. NEW MEXICO PLEDGE

I Salute The Flag Of The State Of New Mexico And The Zia Symbol Of Perfect Friendship Among United Culture's.

V. ROLL CALL

VI. AGENDA APPROVAL

VI. PROCLAMATION

A. Month of May Bike Month

VIII. CITIZEN RECOGNITION

IX. EMPLOYEE RECOGNITION

X. CONSENT AGENDA

- A. Commission Meeting Minutes April 24, 2018
- B. NW NM COG FY 2019 Membership Agreement
- C. Resolution 2018-1082 Surplus
- D. Resolution 2018-1083 Authorizing Submission of Application to the Federal Aviation Administration
- E. RFP 2018-624 Engineering Task Order #2 for Airport Runway Light Design and DBE Program Update

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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.

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”

XI. ITEMS FROM CONSENT AGENDA

XII. 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)

XIII. BUSINESS ITEMS

- A. Intent to Adopt Ordinance 2018-473 Amending Section 8-21 Fire Code, Standards Adopted
- B. Intent to Adopt Ordinance 2018-474 Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages
- C. Intent to Adopt Ordinance 2018-475 Amending Article IV of Chapter 25 to Adopt a Revised Water Conservation Plan

XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XV. DEPARTMENT REPORTS

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

XVI. ADJOURNMENT

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1
2 CITY OF AZTEC
3 COMMISSION MEETING MINUTES
4 April 24, 2018

5 **I. CALL TO ORDER**

6 Mayor Victor Snover called the Meeting to order at 6:02 pm at the Aztec City
7 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

8
9 **II. INVOCATION**

10 The Invocation was led by Erin Treat, Durango Dharma Center

11
12
13 **III. PLEDGE OF ALLEGIANCE**

14 The Pledge of Allegiance was led by Zach Pettijohn

15
16
17 **IV. NEW MEXICO PLEDGE**

18 The New Mexico Pledge was led by Zach Pettijohn

19
20
21 **V. ROLL CALL**

22
23 Members Present: Mayor Victor Snover; Mayor Pro-Tem Rosalyn Fry;
24 Commissioner Austin Randall; Commissioner Mark
25 Lewis

26
27 Members Absent: Commissioner Sherri Sipe

28
29 Others Present: City Attorney Larry Thrower; Administrative Assistant
30 Sherlynn Morgan; Project Manager Ed Kotyk (see
31 attendance sheet)

32
33 **VI. AGENDA APPROVAL**

34
35 MOVED by Commissioner Lewis to Approve the Agenda as given, SECONDED
36 by Mayor Pro-Tem Fry

37
38 All voted Aye: Motion passed four to zero

39
40 **VII. PRESENTATION**

41
42 A. Boys and Girls Club Annual Report

43
44 Mike Patch presented the annual report for the Boys and Girls Club. He
45 mentioned that the Aztec Boys and Girls Club has been serving this Community for 45
46 years. He explained that their mission is to inspire and enable all youth. Last year they

47 served 421 members and 981 other children in the community. He mentioned that NM
48 is ranked 49th in the overall wellbeing of children and 50th in education. He reported that
49 2 years ago San Juan County was named the fastest shrinking economy in the country
50 by Wall Street 24/7 and last year they named us the 2nd worst place to raise children in
51 the country. Mr. Patch explained that there is a real need here and the Boys and Girls
52 Club helps combat that need with a summer reading program, offering homework help
53 and other programs. They offer a safe supportive environment. Mr. Patch said that they
54 appreciate all the help the City gives them every year and they are always looking for
55 ways to improve.

56 Mayor Pro-Tem Fry asked if they had ever done a gardening project. She felt like
57 the children would benefit from growing their own foods. She also asked about the
58 grants and the frustrations with corporations only funding Farmington. Mike explained
59 that they have done a gardening project in the past and they would like to do it again.
60 He also explained that the big box stores like to donate to the community where they
61 are located. Mike explained that the partnership with the 3 clubs is working well and
62 they earned \$5000 from the Mayor's Ball this year.

63

64

65 **VIII. CITIZEN RECOGNITION**

66

67 Community Development Director Steven Saavadra recognized McDonalds and
68 presented them with a Spirit Award.

69

70 **IX. EMPLOYEE RECOGNITION**

71

72 Community Development Director Steven Saavadra recognized Bob Carman as
73 the City Code Compliance Officer and thanked him for his service.

74 Interim City Manager Steve Mueller mentioned that Commissioner Sipe wanted
75 him to recognize Public Works Street Sweeper Guy Mylan for going above and beyond.

76

77 **X. CONSENT AGENDA**

78

79 A. Commission Meeting Minutes April 10, 2018

80 B. Approval of Mayor's Signature on City Letterhead in Recognition of Military
81 Enlistments

82 C. Bid #2018-649 Reservoir #1 Rehabilitation Award

83 D. FY19 Municipal Fire Protection Fund Distribution Application

84

85 MOVED by Commissioner Randall, SECONDED by Mayor Pro-Tem Fry to
86 Approve the Consent Agenda as given

87

88 All Voted Aye: Motion Passed Four to Zero

89

90 **XI. ITEMS FROM CONSENT AGENDA**

91

92 None

93

94 **XII. CITIZENS INPUT (3 MINUTES MAXIMUM)**

95

96 Zack Pettijohn thanked the Commission for taking on the task of being
97 Commissioners. He feels that the City is moving forward and that it looks good and
98 moving in the right direction. He loves Aztec. As an educator he encouraged them to
99 ask the tough questions.

100

101 **XIII. BUSINESS ITEMS**

102

103 A. Final Adoption of Ordinance 2018-470 Amending Chapter 5 Animals

104

105 Tina Roper Animal Shelter Director mentioned that she had a typo. She has had
106 no comments from the public.

107

108 MOVED by Commissioner Randall to Approve the Final Adoption of Ordinance
109 2018-470 as amended Amending Chapter 5 - Animals, SECONDED by Commissioner
110 Lewis

111

112 A Roll Call Vote was taken
113 All Voted Aye: Motion Passed Four to Zero

114

115 B. Final Adoption of Ordinance 2018-471 Amending Chapter 16, Article V.
116 Animal Fees

117

118 Tina Roper Animal Shelter Director mentioned that she has had no comments.

119

120 MOVED by Mayor Pro-Tem Fry to Approve the Final Adoption of Ordinance
121 2018-471 Amending Chapter 16, Article V. Animal Fees, SECONDED by Commissioner
122 Randall

123

124 A Roll Call Vote was taken
125 All Voted Aye; Motion Passed Four to Zero

126

127 C. Final Adoption of Ordinance 2018-472 Amending Section 1-12-2-3 Specific
128 Penalty Schedule for animal Fines

129

130 Tina Roper Animal Shelter Director mentioned that she has had no comments.

131

132

133

134 MOVED by Commissioner Lewis to Approve the Final Adoption of Ordinance
135 2018-472 Amending Section 1-12-2-3 Specific Penalty Schedule for Animal Fines,
136 SECONDED by Mayor Pro-Tem Fry.

137
138 A Roll Call Vote was taken
139 All Voted Aye; Motion Passed Four to Zero

140

141 **XIV. LAND USE HEARING**

142

143 Mayor Snover read the land use script for the following land use items and asked
144 if there were any challenges, conflicts of interest or ex-parte communications there were
145 none. He swore all participants in and proceeded to the hearing.

146

147

148 A. VAR 18-01 A Variance to Exceed the Height Requirements of 12-Feet for the
149 Storage of a Recreational Vehicle Carport and to Build an Accessory Structure
150 in a Vacant Lot Abutting Residence at 421 Animas Street, Aztec, NM

151

152 Steven Saavadra Community Development Director summarized the staff
153 summary. He explained that when they did some research most RV's are taller than 12
154 ft. he also mentioned that there are several structures around town that were either
155 permitted without checking the restrictions or were placed illegally. Mayor Snover asked
156 if maybe the Ordinance needs to be looked at and Steven said that it should be
157 reviewed to make sure we have consistency.

158 Daniel Lawson asked for the variance in order to protect his investment and to
159 improve the line of traffic.

160 Mayor Snover closed the hearing to testimony.

161

162 MOVED by Commissioner Randall to Approve Petition VAR 18-01, a request
163 from Daniel Lawson, for a variance to exceed the height requirements of 12-feet for the
164 storage of a recreational vehicle carport and to build an accessory structure in a vacant
165 lot abutting residence at 421 Animas Street, Aztec, NM, Tax ID# R0001200 and
166 accepting findings of fact 1-6, SECONDED by Commissioner Lewis.

167

168 A Roll Call Vote was taken;
169 All Voted Aye; Motion Passed Four to Zero

170

171 **XV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

172

173 Interim City Manager Steve Mueller mentioned that he attended the COG
174 meeting last week and they are closer to an Agreement with the City of Farmington to
175 become the umbrella of the MPO and they would then have an office in a City of

176 Farmington building. He mentioned that there would be a drought prep workshop on
177 May 15th at Magee Park.

178
179 Mayor Pro-Tem Fry mentioned that she had attended the Four Corners Damage
180 Prevention meeting.

181
182 Commissioner Lewis reported that he attended a meeting with representative
183 with FEMA out of Albuquerque and they were discussing the new system to discern and
184 fine tune the flood plain zones and this could be beneficial to citizens.

185
186 Mayor Snover mentioned he attended and enjoyed Chiefs Coffee. He attended
187 the San Juan Safe Schools Task Force. He also visited ECHO Preschool here in town
188 and he really enjoyed it and had a great time, he wished he would have gone sooner.
189 Mayor Snover also mentioned that his wife works at StarBucks and they are helping out
190 with food donations to ECHO food bank. He will be hosting a Meet the Mayor on May 9th
191 at 6pm in the Commission Room and everyone is invited.

192

193

194 **XVI. DEPARTMENT REPORTS**

195

196 Chief Heal reported that Chiefs Coffee had a good turn out with parents and
197 students, they had great ideas. He mentioned that he has a meeting with the Senator
198 Heinrich on May 1st at Aztec Police Department.

199

200 Electric Director Ken George mentioned the Employee Association Potluck on
201 May 3rd.

202

203

204 **XVII. ADJOURNMENT**

205

206 Moved by Mayor Snover, SECONDED by Commissioner Lewis to adjourn the
207 meeting at 7:00 p.m.

208

209

210

Mayor, Victor Snover

211 ATTEST:

212

213

214 _____
Karla Saylor, City Clerk

215

216

217 MINUTES PREPARED BY:

218

219

220 _____
Sherlynn Morgan, Administrative Assistant

Staff Summary Report

MEETING DATE:	May 8, 2018
AGENDA ITEM:	X. CONSENT AGENDA (B)
AGENDA TITLE:	Northwest New Mexico Council of Governments Membership Agreement and Board of Directors Appointment

ACTION REQUESTED BY:	Interim City Manager
ACTION REQUESTED:	Approval of Membership Agreement
SUMMARY BY:	Sherlynn Morgan

PROJECT DESCRIPTION / FACTS

MEMBERSHIP AGREEMENT:

- Northwest New Mexico Council of Governments (NWNM COG) has prepared a Membership Agreement for Fiscal year 2019.
- All provisions of the agreement remain as in previous years.

BOARD OF DIRECTORS APPOINTMENT:

- During the March 12, 2018 Commission meeting the Interim City Manager Steve Mueller was appointed as the City's representative on the NWNM COG Board and Commissioner, Austin Randall was appointed as the alternate.
- As per NWNM COG Board policies, the City must formally identify its official representative to the Board of Directors.

PROCUREMENT

FISCAL IMPACTS

- The FY19 preliminary budget includes \$3,000 specific for NWNM COG (same level of participation since FY12)

SUPPORT DOCUMENTS:	NWNM COG Membership Agreement
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DEPARTMENT'S RECOMMENDED MOTION:	Move to Approve the Agreement with Northwest New Mexico Council of Government
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NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS

MEMBERSHIP AGREEMENT

with

CITY OF AZTEC

Fiscal Year 2019

This Agreement is entered into by and between Northwest New Mexico Council of Governments (hereinafter "COG") and City of Aztec (hereinafter "MEMBER"), pursuant to the following conditions and terms:

1. COG agrees to provide for the following:
 - a. Performance of professional work in service to the MEMBER, including specific assignments as requested and mutually concurred by the MEMBER and COG throughout the course of this Agreement, drawn from the COG's Menu of Services; such service to include assignment of a professional planner to direct Member Services, in alignment with the Member Dues & Services policy adopted by the COG Board of Directors.
 - b. Continued leadership and performance in local and regional development activities, as supported by local, state, federal and philanthropic grants and contracts.
 - c. Competent management and stewardship of the COG's resources and responsibilities, on behalf of its Members.
2. MEMBER agrees to provide for the following:
 - a. To remain a voting member on the COG's Board of Directors, to consist of up to one (1) representatives to the Board and one (1) alternate, and to participate in the COG's governance, policy development and administrative oversight.
 - b. To pay annual dues into the treasury of the COG in the amount of **\$3,000** per annum, such payment to be rendered in quarterly increments for the annual period July 1, 2018 through June 30, 2019.
3. It is mutually understood and agreed that:
 - a. A portion of the Membership dues shall be committed to the support of the COG organization as a whole and to its general operating and overhead expenses, including matching funds as required for certain state and federal grants;
 - b. A portion of the dues shall be available for direct communications with and services to the MEMBER, including specific assignments as requested and mutually concurred by the MEMBER and the COG; and
 - c. For significant tasks and assignments requiring staffing above and beyond the levels specified herein, the COG may negotiate for and/or assist in securing additional funds to supplement this agreement.

NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS

CITY OF AZTEC

_____ Date: _____
Billy W. Moore, Interim Board Chair

_____ Date: _____
Sally Burbridge, Mayor

ATTEST: _____
Jeff Kiely, Executive Director

ATTEST: _____
Karla Sayler, City Clerk

NORTHWEST NEW MEXICO COUNCIL OF GOVERNMENTS

Board of Directors Appointment Form/FY 2019

Member Government: City of Aztec Date: _____

1. The governing body of The City of Aztec (hereinafter Member) has designated

as its official Representative to the Board of Directors of the Northwest New Mexico Council of Governments (NWNMCOG), the organization established by State Statute as New Mexico Planning & Development District I and by the US Department of Commerce as Economic Development District 1.

2. It is understood that the responsibilities of Board representatives include, but are not necessarily limited to:

- Attendance at four (4) quarterly meetings of the Board of Directors as scheduled and, as needed and feasible, such special meetings as may be called by the Board Chair. Generally, regular meetings are held within the NWNMCOG planning district, rotated county-to-county among Cibola, McKinley and San Juan Counties [one (1) of which is the annual meeting];

[NOTE: Per the NWNMCOG Articles of Agreement: "Should the representative and/or alternate miss three (3) consecutive meetings, the governing body of the respective member shall be asked to appoint another representative to the Board."]

- Voting on Board motions and resolutions;
- Serving on and meeting with such committees or task forces as appointed by the Chairman of the Board and/or as volunteered;
- Serving as Board officer as nominated and elected;
- Representing issues, needs and perspectives of the Member within the Council of Governments forum as applicable and appropriate;
- Staying up-to-date on NWNMCOG issues, primarily (a) as represented in the packet of informational materials prepared by staff for each Board agenda and (b) with respect to direct services performed for the Member;
- Communicating with and reporting to the governing body of the Member regarding NWNMCOG issues, priorities and activities; and
- Assisting in advocating for local and regional issues and projects throughout the year.

3. The governing body has also designated _____ as Board Alternate, whose responsibilities are to assume the duties and authorities of either Representative, including voting on Board motions and resolutions, in the absence of and as delegated by the Representative.

SIGNED: _____ DATE: _____

NAME: _____ TITLE: _____

Staff Summary Report

MEETING DATE:	May 8, 2018
AGENDA ITEM:	X. CONSENT AGENDA (C)
AGENDA TITLE:	Resolution 2018-1082 Municipal Surplus

ACTION REQUESTED BY:	Library, Information Technology
ACTION REQUESTED:	Approval of Resolution 2018-1082
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- Information Technology has identified items no longer necessary to daily operations and request commission approval to sell or otherwise dispose of the equipment.
- The Library, during the normal course of operations, reviews circulation of all materials. Materials which are not circulating or are out of date are pulled from the shelves and become surplus material. These items would have been purchased with city or state library funds or donated to the library. Materials pulled include a large collection of adult and youth books, several DVDs and music CDs.
- Approved library surplus items will be disposed of in a variety of ways to best serve the library and the community. Materials which may have use to Good Sam's, local schools, and/or veteran's programs will be donated. Materials which may have public interest will be packaged and available for sale at the library. Other materials may be packaged and sent to book outlets at no cost to the city. The Public Surplus website has not resulted in interest for library materials, although it will continue to be utilized as well.
- If the items are not sold they will be donated or disposed of according to NM Statute Section 3-54-2 and Procurement Statute 13-6-1. Disposition of obsolete, worn-out or unusable tangible personal property.

PROCUREMENT / FISCAL IMPACTS

- Revenues from auction to be applied to General Fund / Joint Utility Fund.

SUPPORT DOCUMENTS:	Resolution 2018-1082 Surplus List
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DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2018-1082 Declaring Certain Municipal Property Not Essential For Municipal Purpose and Directing It Be Sold or Disposed.

CITY OF AZTEC RESOLUTION 2018-1082

A RESOLUTION DECLARING CERTAIN MUNICIPAL PROPERTY NOT ESSENTIAL FOR MUNICIPAL PURPOSE AND DIRECTING IT BE SOLD, OR IF THE PROPERTY HAS NO VALUE, DONATE THE PROPERTY TO ANY ORGANIZATION DESCRIBED IN SECTION 501(c)3 OF THE INTERNAL REVENUE CODE OF 1986 OR DISPOSED.

- WHEREAS,** Sections 3-54-2 and 13-6-1 of NMSA, 1978 Compilation authorizes municipalities to sell personal property which is not essential for a municipal purpose or if the property has no value, donate the property to any organization described in Section 501(c)3 of the Internal Revenue Code of 1986; and
- WHEREAS,** the City of Aztec owns certain personal property which is obsolete and/or surplus and no longer needed or useful to the City; and
- WHEREAS,** the Governing Body wishes to declare this property not essential for a municipal purpose so that it can be sold or donated according to statute.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico that the personal property described on the attached list which is owned by the City is surplus and not essential for a municipal purpose.

PASSED, APPROVED AND SIGNED this 8th day of May 2018.

VICTOR C. SNOVER, MAYOR

ATTEST:

CITY CLERK KARLA SAYLER

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

LIBRARY SURPLUS

TITLE	AUTHOR
Alphabet of girls	Leland B. Jacobs
Little Jake and the three bears	
Little Jake hunts Alaska	
Little Jake and the world record bass	
Little Jake's big bowhunt	
Little Jake on safari	
James in a mess and other Thomas the tank engine stories	
E is for enchantment : a New Mexico alphabet	Helen Foster James
Leon and Bob	Simon James
Little goblins ten	
This moose belongs to me	
Millie	Linda Jennings
Boris's big ache	Susie Jenkin-Pearce
Franklin forgives	Sharon Jennings
Franklin's neighborhood	Sharon Jennings
Franklin's Thanksgiving	Sharon Jennings
Victoria's adventure	Susan Jeschke
Farm animals	Gallimard Jeunesse and Sylvaine P*erols
Go away, dark night	Liz Curtis Higgs
Believe in yourself	Emily Dutta
Sea Rex	
The Dreamkeeper : a letter to Alice Elizabeth from her grandfather,	Robert Ingpen
How Jackrabbit got his very long ears	Heather Irbinskas
The fox's egg	Ikuyo Isami
The complete story of the Three blind mice	John W. Ivimey
Monsters in my mailbox	Ellen Jackson
Thorndike and Nelson	Jean Jackson
Miloli's orchids	Alisandra Jezek
Jingle bells	
Tell me a story, Mama	Angela Johnson
Harold and the purple crayon	Crockett Johnson
Never ride your elephant to school	Doug Johnson
Christmas Eve : the joy of giving	Lisa Sferlazza Johnson
The cow who wouldn't come down	Paul Brett Johnson

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Alphabet city / Stephen T. Johnson	
Alien and Possum: friends no matter what	
The cowboy and the black-eyed pea	Tony Johnston
Grandpa's song	Tony Johnston
There's no such thing as a dragon : story and pictures	Jack Kent
Stan the hot dog man	Ethel and Leonard Kessler
Disney's The Hunchback of Notre Dame	Ronald Kidd
Newf	Marie Killilea
Anansi's party time	Eric A. Kimmel
Hanukkah bear	
You and me	Martine Kindermans
Sheep in wolves' clothing	Satoshi Kitamura
Bear's first Christmas	Robert Kinerk
A night in Santa's great big bag	Kristin Kladstrup
The trip / Ezra Jack Keats	
I see, you saw	Nurit Karlin
The fisherman and his wife	Brothers Grimm
Aqualicious	Victoria Kann
Goldilicious	Victoria Kann
Emeraldalicious	Victoria Kann
Purplicious	Victoria Kann
Silverlicious	Victoria Kann
Pinkalicious and the cupcake calamity	Victoria Kann
Pinkalicious and the pink parakeet	Victoria Kann
A mother for Choco	Keiko Kasza
The rat and the tiger	Keiko Kasza
The flim-flam fairies	Alan Katz
Dreams	
Henry's happy birthday	Holly Keller
Can I keep him?	Steven Kellogg
Best friends	Steven Kellogg
The island of the skog	Steven Kellogg
The missing mitten mystery	Steven Kellogg
Paul Bunyan : a tall tale	Steven Kellogg
The mysterious tadpole	Steven Kellogg
Much bigger than Martin	Steven Kellogg
Prehistoric Pinkerton	Steven Kellogg
Sally Ann Thunder Ann Whirlwind Crockett : a tall tale	Steven Kellogg
Santa Claus is comin' to town	J. Fred Coots & Haven Gillespie

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Rhinos don't eat pancakes	
This is not my hat	
Soon	
Monster & son	
Smelly locker : silly dilly school songs	Alan Katz
Counting kisses	Karen Katz
Babe the sheep pig : Looking for Dash	Molly Kates
I love my mama	Peter Kavanagh
Clementina's cactus	Ezra Jack Keats
Goggles	
Jennie's hat	
Pet show	
We love the dirt	Tony Johnston
Ben's new buddy	Ward Johnson
Caring is what counts	Ward Johnson
Splash! / Ann Jonas	
Time to say goodnight	Sally Lloyd-Jones
A houseful of Christmas	Barbara Josse
I love you the purplest	Barbara Josse
Gotcha!	Gail Jorgensen
The mischievians	
Santa calls	William Joyce
Anna's birthday surprise	
William's ninth life	Minna Jung
The hello, goodbye window	Norton Juster
Clara Chicken	Wendy Kanno
Henry the owl	Wendy Kanno
Squeaker the dog	
Monsters eat whiny children	Bruce Eric Kaplan
I know an old lady	G. Brian Karas
The trellis and the seed : a book of encouragement for all ages	Jan Karon
Pinkalicious and the perfect present	
More for me	Sydney Meltzer Kleinhenz
Death of the iron horse	Paul Goble
Annie Bananie	Leah Komaiko
Why a dog? by	A. Cat
Daisy thinks she is a baby	Lisa Kopper
Beaver gets lost	Ariane Chottin
Chocolatina	Erik Kraft

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

The secret in the dungeon	Fernando Krahn
The man who cooked for himself	Phyllis Krasilovsky
The gondolier of Venice	Robert Kraus
Squirmy's big secret	Robert Kraus
Tigger comes to the forest	A. A. Milne
Winnie-the-Pooh and some bees	
Happy Mother's Day	Steven Kroll
Happy Father's Day	Steven Kroll
Mrs. Claus's crazy Christmas	Steven Kroll
Oh, what a Thanksgiving !	Steven Kroll
One tough turkey : a Thanksgiving story	Steven Kroll
Star Wars, Episode I. Jar Jar's mistake	Nancy Krulik
Ice-cream dreams	Nancy Krulik
Danny's Christmas star	Edith Kunhardt
Trouble	Jane Kurtz
So, what's it like to be a cat?	Karla Kuskin
The crane	Frances Ann Ladd
A tale of two rats	Claude Lager
Vidia takes charge	
Fat chance Thanksgiving	Patricia Lakin
Rainy day!	Patricia Lakin
A prize for Percival	Allan Langoulant
Little Bear goes to kindergarten	Jutta Langreuter and Vera Sobat
There's no one I love like you	
Frog went a-courtin'	John Langstaff
DVD videorecording: Inception	
Dinosaurology: being an account of an expedition into the unknown South America -- April 1907	
Campfire funnies	David Lewman
Clifford Cookie Crazy	Norman Bridwell
365 Penguins	Jean-Luc Fromental
Library lion	Michelle Knudsen
Catmagic	Loris Lesynski
A is for salad	Mike Lester
Let's explore : with baby : a parent's activity guide	Walt Disney Co
Let's explore : Rhymes	Walt Disney Co
Let's explore : Art	Walt Disney Co
Let's explore : Languages	Walt Disney Co
Let's explore : Poetry	Walt Disney Co

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Let's explore : Colors	Walt Disney Co
Let's explore : Shapes	Walt Disney Co
Let's explore : Numbers	Walt Disney Co
Let's explore : Animals	Walt Disney Co
Let's explore : the ABCs of art : A-M	Walt Disney Co
Let's explore : the ABCs of art : N-Z	Walt Disney Co
Pinkalicious: cherry blossom	
The perfect machine	
Santa Claws	Laura Leuck
The creepy computer mystery	Elizabeth Levy
Batter up, SpongeBob	
SpongeBob, soccer star	
Arnie the doughnut	
Little Bear brushes his teeth	Jutta Langreuter and Vera Sobat
No dragons on my quilt	Jean Ray Laury
Old farm, new farm	Felicia Law
The Monstore	
Barney's book of hugs	Sheryl Leach and Patrick Leach
What would Barney say?	Sheryl Leach
Little Brown Bear is sick	Claude Lebrun
Little Brown Bear dresses himself	Claude Lebrun
Little Brown Bear wants to go to school	Claude Lebrun
A dragon Christmas : things to make and do	Claude Lebrun
Wave	Suzy Lee
Legends of Bikini Bottom: as told by anonymous sea-dwellers	
Poem-mobiles: crazy car poems	
Chugga-chugga choo-choo	
First snow	Kim Lewis
Good night, Harry	Kim Lewis
Friska : the sheep that was too small	Rob Lewis
Bats at the ballgame	Brian Lies
Bats at the beach	Brian Lies
Where is it?	Dee Lillegard
Bamboozled	David Legge
Sheldon's lunch	Bruce Lemerise
Dress-up	Marcia Leonard
The pet vet	Marcia Leonard
Franny B. Kranny, there's a bird in your hair!	Harriet Lerner and Susan Goldhor
Tacky the penguin	Helen Lester

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

The wild baby	Barbro Lindgren
The wild baby goes to sea	Barbro Lindgren
Alexander and the wind-up mouse	
An extraordinary egg	Leo Lionni
Frederick	
Matthew's dream	Leo Lionni
Geraldine, the music mouse	Leo Lionni
The Little Red Hen	Barry Downard
Carnival of the animals	John Lithgow
I'm a manatee	John Lithgow
Ming Lo moves the mountain	Arnold Lobel
Where the river begins	Thomas Locker
Family farm	Thomas Locker
Frog and toad are friends	
Sentenced to die	J.A. Jance
Footloose	
Do your ABC's, Little Brown Bear	Jonathan London
Froggy's sleepover	Jonathan London
Froggy plays soccer	Jonathan London
Let's go, Froggy!	Jonathan London
An Otis Christmas	
Otis and the tornado	
How I became a pirate	Melinda Long
Pirates don't change diapers	Melinda Long
Happy birthday, Hamster	
Hot rod hamster	Cynthia Lord
The giant jam sandwich	John Vernon Lord
Cindy Ellen : a wild western Cinderella	Susan Lowell
Dusty Locks and the three bears	Susan Lowell
Josefina javelina : a hairy tale	Susan Lowell
Little Red Cowboy Hat	Susan Lowell
The tortoise and the jackrabbit	Susan Lowell
Because I love you	Max Lucado
The three little javelinas	Susan Lowell
You are special	Max Lucado
The trouble with Timothy	Margaret Ludlow
Frisky brisky hippity hop	
Mattie's little possum pet	Ida Luttrell
Marlene, Marlene, Queen of Mean	

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

One more dino on the floor	
Monster math	Grace Maccarone
Scarecrowell : story and paintings	Betsey Douglas MacDonald
Black and white	David Macaulay
Shortcut	David Macaulay
Monster math	Grace Maccarone
The little island,	Golden MacDonald
Bears = Los Osos	JoAnn Early Macken
Little Hippo gets glasses	Maryann Macdonald
All the places to love	Patricia MacLachlan
The English roses	Madonna
Buster and the dandelions	Hisako Madokoro
Buster and the little kitten	Hisako Madokoro
Buster catches a cold	Hisako Madokoro
Buster's blustery day	Hisako Madokoro
Buster's first thunderstorm	Hisako Madokoro
The magic of Disney storybook collection	
A summery Saturday morning	Margaret Mahy
The frog princess?	Pamela Mann
I spy a school bus : riddles	Jean Marzollo
Sort it out!	Barbara Mariconda
Knots on a counting rope	Bill Martin, Jr. and John Archambault
The maestro plays	Bill Martin, Jr. and John Archambault
Barn dance!	Bill Martin, Jr. and John Archambault
Trick or treat?	Bill Martin, Jr. and John Archambault
Piggy and Dad go fishing	David Martin
Grandpa's magic tortilla	
The wonderful things you will be	
Too tall houses	
George and Martha	James Marshall;
A honey of a day	Janet Marshall
Theodore's best friend	Mary Man-Kong
Horses = Los caballos	JoAnn Early Macken
10 little hot dogs	John Himmelman
Goodnight, Little Critter	Mercer Mayer
There are monsters everywhere	Mercer Mayer
There's a nightmare in my closet.	Mercer Mayer
What do you do with a kangaroo?	Mercer Mayer
Oh snow	Monica Mayper

**CITY OF AZTEC
SURPLUS LIST
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Oops	Mercer Mayer
Dear Santasaurus	
One frog too many	Mercer and Marianna Mayer
Little Critter's the night before Christmas	Mercer Mayer
Looney tunes back in action	Jesse Leon McCann
Scooby-Doo and the cyber chase	Jesse Leon McCann
Being me	
Aliens are coming! : the true account of the 1938 War of the worlds radio broadcast	Meghan McCarthy
High in the clouds	Paul McCartney, Geoff Dunbar, and Philip Ardagh
One morning in Maine	Robert McCloskey
Time of wonder	
Make way for ducklings	Robert McCloskey
Time of wonder	
Fall : a tale of what's to come	Janet McDonnell
Winter : tracks in the snow	Janet McDonnell
The gift of nothing	Patrick McDonnell
Wag! / Patrick McDonnell	
Nicholas Bentley Stoningpot III	Ann McGovern
Mirandy and Brother Wind	Patricia C. McKissack
My rules for being a pretty princess	
My day	Sindy McKay
Super, super, superwords	Bruce McMillan
I'm big	
Nutcracker noel : story	Kate McMullan
Don't step on the crack!	Colin McNaughton
Andrew's bath	David McPhail
Big Pig and Little Pig	David McPhail
Bumper Tubbs	David McPhail
Captain Toad and the motorbike	David McPhail
Clifford the big red dog : the runaway rabbit	Teddy Margulies
Margret & H.A. Rey's Curious George goes camping	Vipah Interactive
The Tigger movie	Catherine McCafferty
First snow	Emily Arnold McCully
Mirette on the high wire	Emily Arnold McCully
Speak up, Blanche!	Emily Arnold McCully
The dream child	David McPhail
Edward in the jungle	David McPhail
Moony B. Finch, fastest draw in the West	David McPhail

**CITY OF AZTEC
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Pig Pig grows up	David McPhail
Pig Pig goes to camp	David McPhail
Pigs aplenty, pigs galore!	David McPhail
Dairy-free dino-licious dig	
Pog	Peter Haswell
Pigs ahoy!	David McPhail
Waddles	
Snow lion	David McPhail
We eat dinner in the bathtub	Angela Shelf Medearis
Too many monsters	Susan Meddaugh
Grandmas at the lake	Emily Arnold McCully
Grandmas at bat	Emily Arnold McCully
The grandma mix-up	Emily Arnold McCully
The naughty little rabbit and old man coyote : a Tewa story from San Juan Pueblo	Estefanita Martinez
Thanksgiving cats	Jean Marzollo
Planes	
Icy escapades	
Ma, I'm a farmer	Michael Martchenko
A sister for Sam	Evelyn Mason
Quiet, Wyatt!	Bill Maynard
Just a new neighbor	Gina and Mercer Mayer
Just fishing with grandma	Gina and Mercer Mayer
A very special critter	Gina and Mercer Mayer
Meet Ahsoka Tano	Kirsten Mayer
Star Wars : The Clone Wars : Battle at Teth	Kirsten Mayer
Ah-choo / by	Mercer Mayer
Country fair	Mercer Mayer
Frog on his own	
Just going to the dentist	Mercer Mayer
The dark at the top of the stairs	Sam McBratney
There, there	
Yes we can!	Sam McBratney & Charles Fuge
Teddy bear for sale	Gail Herman
Tiny the snow dog	Cari Meister
I love you as much--	Laura Krauss Melmed
The rainbabies	Laura Krauss Melmed
The little prince of Leapinhigh	P.J. Meltabarger
Where is everybody? : an animal alphabet	Eve Merriam
Tabitha's terrifically tough tooth	Charlotte Middleton

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Pigs to the rescue	John Himmelman
I am a backhoe	Anna Grossnickle Hines
The night before Christmas	
Halloween night	Marjorie Dennis Murray
Mother Goose action rhymes : old MacDonald had a farm; one, two, buckle my shoe; round and round the garden; this little pig	
My first Mother Goose book	
Dear bunny	Michaela Morgan
A birthday basket for T*ia	Pat Mora
Dolphin	Robert A. Morris
The witch down the street	Stephanie Morgan
The three little pigs	Barry Moser
Buddy the bucking ballerina	
Dewey's Christmas at the library	Vicki Myron and Bret Witter
A tasting party	Jane Belk Moncure
Word Bird's Valentine words	Jane Belk Moncure
Underwear!	Mary Elise Monsell
The night before Christmas	Clement C. Moore
Twas the night before Christmas	Clement C. Moore
The night before Christmas: poem	
The day of the bad haircut	Eva Moore
Wake up, sleepy bear!	Christine Morton-Shaw and Greg Shaw
Snakes and lizards = serpientes y lagartos	Daniel Moreton, Pamela Chanko
A shipful of shivers	Diane Muldrow
Attack of the prehistoric Pok*emon	Diane Muldrow
Electric shock showdown	Diane Muldrow
Weekly reader presents good knight, Sir Kermit	Michaela Muntean
A quiet night in	Jill Murphy
A piece of cake	Jill Murphy
A kiss like this	
Don't wake up the bear!	Marjorie Dennis Murray
Zen shorts	Jon J. Muth
My first Raggedy Ann : Raggedy Ann's wishing pebble	Johnny Gruelle
My five book	Jane Belk Moncure
My four book	Jane Belk Moncure
My nine book	Jane Belk Moncure
My seven book	Jane Belk Moncure
My six book	Jane Belk Moncure
Smile," says little Crocodile	Jane Belk Moncure
My three book	Jane Belk Moncure

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My two book	Jane Belk Moncure
My one book	Jane Belk Moncure
My ten book	Jane Belk Moncure
If you were a penguin	Wendell and Florence Minor
The elephant at the Waldorf	Anne Miranda
Monster math	Anne Miranda
Our mammoth goes to school	Adrian Mitchell
The tail tale of the Christmas hero	
Things that go burp! in the night	
Magic monsters look for colors	Jane Belk Moncure
My a book	Jane Belk Moncure
My eight book	Jane Belk Moncure
My first book	Jane Belk Moncure
Treasures of the heart	Alice Ann Miller
Mousekin's close call	Edna Miller
Mousekin's mystery	Edna Miller
The egg tree	Katherine Milhous
Teacher's pets	Liz Mills
Sneaky Pete	Rita Milios
On your potty!	Virginia Miller
Little Bear's visit	Maurice Sendak
Little bear	Maurice Sendak
No fighting, no biting!	Maurice Sendak
Naruto vol. 58	Massashi Kishimoto

INFORMATION TECHNOLOGY SURPLUS

Department	Item/Model
IT	 <p>Asus Monitor (5) Model: 1708FPf S/N: AALMIZ060941, AALMIZ061673, AALMIZ060948 AALMIZ061711, AALMIZ060944, AALMIZ061719</p> <p>Acquisition Date: 2010</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>

**CITY OF AZTEC
SURPLUS LIST
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Department	Item/Model	
IT		<p>Dell Monitor (13) Model: 1708FPf S/N: CN-0C182J-74443-8A6-FJMS, CN-0X876H-72872-95I-203S CN-0X876H-72872-95K-15MU CN-0X876H-72872-95I-1N6S CN-0X876H-72872-95I-1YVS CN-0X876H-72872-95K-15GU CN-0X876H-72872-95I-2A6S CN-0X876H-72872-923-0EEL CN-0X876H-72872-95I-2AAS CN-0X876H-72872-95I-1N8S CN-0X876H-72872-95I-2HGS CN-0X876H-72872-95I-1YCS CN-0X876H-72872-95K-1P2U</p> <p>Acquisition Date: 2009</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (3) Model: 1706FPVT S/N: CN-0T9401-17618-58D-ADCD CN-0T9401-17618-58D-ABVX CN-0HC317-71618-59D-AAM5</p> <p>Acquisition Date: 2009</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (2) Model: 1706FPVT S/N: CN-0Y9833-71618-782-ALAF CN-0Y9833-71618-6BP-AA93</p> <p>Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
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Department	Item/Model	
IT		<p>Dell Monitor (2) Model: 2007FPb S/N: MX-0T6130-48323-59L-26EL MX-0T6130-48323-59L-26CL</p> <p>Acquisition Date: 2005</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (2) Model: 2007FPb S/N: MX-0C9536-46634-65H-2K3S MX-0G324H-74262-21G-1ECL</p> <p>Acquisition Date: 2007</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (2) Model: P2014Ht S/N: CN-0J6HFT-74445-584-BPGL CN-0J6HFT-74445-4CP-A10L</p> <p>Acquisition Date: 2014</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Gateway Monitor (1) Model: TFT1980PS+ S/N: MWE78B0N02442 Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Department	Item/Model	
IT		<p>Dell Monitor (1) Model: 1901FP S/N: CN-05Y232-71618-46I-BE47 Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (1) Model: U2312HMt S/N: CN-02GFKN-74445-31J-BLTL Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (1) Model: 1503FP S/N: KR-032DVX-47602-19D-A7PA Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Dell Monitor (1) Model: E151FPp S/N: CN-06R644-47804-359-L3A5 Acquisition Date: 2008</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Department	Item/Model	
IT		<p>HP Color Laser Jet Pro (1) Model: MFP M4760W S/N: CNB6G7CBX Acquisition Date: 2011</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>Xerox (1) Model: Phaser 6700 S/N: AB9771176 Acquisition Date: 2011</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>HP LaserJet (1) Model: 1536dnfMFP S/N: CNC9C99D7J Acquisition Date: 2011</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>
IT		<p>HP LaserJet (1) Model: 4200 S/N: USGNM13704 Acquisition Date: 2011</p> <p>Reason for Surplus: Decommissioned (non-functional, obsolete)</p>

**CITY OF AZTEC
SURPLUS LIST
RESOLUTION 2018-1082
MAY 8, 2018**

Department	Item/Model	
IT		Brother (1) Model: MFC 9125CN S/N: U63094M2J132149 Acquisition Date: 2011 Reason for Surplus: Decommissioned (non-functional, obsolete)

Staff Summary Report

MEETING DATE:	May 8, 2018
AGENDA ITEM:	X. CONSENT AGENDA (D)
AGENDA TITLE:	Resolution 2018-1083 Authorizing Submission of Application to the Federal Aviation Administration and New Mexico Aviation Division, Obligation of Matching Funds, and Authorize Acceptance of Grant Funds and Execution of Contract Documents : Design of Runway Lights and DBE Program Update, AIP Project No. 3-35-0056-006-2018

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Approval to Submit FAA Grant Application
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

Acronyms:

- FAA – Federal Aviation Administration
- AIP – Airport Improvement Program
- NMAD – New Mexico Aviation Division
- CIP – Capital Improvement Plan

Background:

- The Aztec Municipal Airport (N19) is eligible for AIP funds in the amount of \$150,000 annually. These funds may be accumulated for four years or a maximum of \$600,000 for larger projects or used annually for smaller projects. The funding requires a 10% match which is typically split equally between NMAD and the City. Funding availability is also constrained by the federal budget process – continuing resolutions may only provide partial funding throughout a federal fiscal year.
- Funding may only be used for projects which have been identified through the Aviation CIP submitted to both FAA and NMAD. Projects are submitted after consultation with the City, its engineering representative, NMAD and FAA. Projects may be split into multiple phases to meet both funding availability and phase duration. For example, a project may be split into environmental, design and construction phases or one phase which includes design and environmental.
- While funds may be appropriated to the airport, an application process is required. The process includes a resolution by which the governing body authorizes the submittal of the federal application and authorizes the City Manager to accept funding on behalf of the City and to execute documents related to the project.

Project:

- Federal and state funding assistance is being requested for Medium Intensity Runway Light, Primary and Supplemental Wind cones and PAPI Runways 8/26 - Design Only phase and DBE program update.

- The objective of the project is to replace existing retro-reflective runway edge markers with a standard Medium Intensity Runway Light (MIRL) system and approach aids (Passive Approach Slope Indicator) and replace existing non-standard non-lighted primary wind cone. Install FAA approved L-880 Precision Approach Path Indicator system on Runway 8 and 26. Obtain data and conduct PAPI light slope clearance surveys and PAPI obstruction surveys. Update DBE 3 year plan, overall goals and project goals.
- The benefit of these improvements include increased safety of operations in low/dark visibility conditions. The airport sits on a mesa with significant drop-off on either runway end. Currently there is retro-reflective threshold and edge markers. The MIRL will aid in establishing alignment with the runway at night and the PAPI installations will assist with establishing a correct glide path for landing in a deceptive topographic condition (200' drop-off from runway end).
- Total design costs are projected to be \$127,519 including tax. Of this amount, 90% would be federally funded (\$114,766), 5% NMAD (\$6,376) and 5% City (\$6,377).
- The time frame for the project, including FAA and NMAD acceptance of the design, is nine months, with an anticipated start date of June 2018, dependent on FAA and NMAD funding approvals.

Federal Funding

- Federal funding requires a series of documents to be included in the funding application. These documents include (not a complete list) a resolution authorization the submittal of the application and the appointment of a position to accept the funding offer and execute any documents regarding the acceptance, sponsor certifications, and SF424 federal funding application.
- Resolution 2018-1083 authorizes the federal funding application and authorizes the City Manager to accept the grant offer and execute additional documents which may be required.
- Sponsor certifications and SF424 are standard for federally funded airport projects.

State Funding

- With the submittal of the federal application, city staff will make application to the NMAD for funding assistance in the amount of \$6,376.

PROCUREMENT

- N/A to the application process

FISCAL IMPACTS

- The City is unable to fund the improvements to the airport without the federal funding. The FY18 Annual Budget includes this project including the City match requirement.

SUPPORT DOCUMENTS: Resolution 2018-1083
N19 Project Sketch
SF424 Funding Application
Lobbying Certification
Sponsor Certifications

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2018-1083
Resolution 2018-1083 Authorizing Submission of Application to the Federal Aviation
Administration and New Mexico Aviation Division, Obligation of Matching Funds, and
Authorize Acceptance of Grant Funds and Execution of Contract Documents : Design of
Runway Lights and DBE Program Update, AIP Project No. 3-35-0056-006-2018,

CITY OF AZTEC
RESOLUTION NO. 2018-1083

**A resolution authorizing submission of an Application for Airport Aid to the Federal Aviation Administration (FAA)), an Application for Airport Aid to the New Mexico Department of Transportation – Aviation Division (NMAD), obligation of Sponsor matching funds, and authorization to accept the resulting Grant offers and the execution of contract documents for the following project:
Medium Intensity Runway Light, Primary And Supplemental Wind Cones and PAPI Runways 8/26 -
Design Only Phase, Update DBE Program**

WHEREAS the governing body of the City of Aztec, New Mexico is applying to the Federal Aviation Administration for 90 percent 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 applying for 5 percent assistance from the NMAD, and time is of the essence to secure the FAA and NMAD funding and

WHEREAS the City of Aztec, New Mexico is the owner of the Aztec Municipal Airport, 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, New Mexico is committed to appropriating funds to match the is committed to appropriating funds to match the remaining 5 percent of the project cost in accordance and consistent with the regulations and policies governing the FAA - AIP program and the NMAD grant conditions.

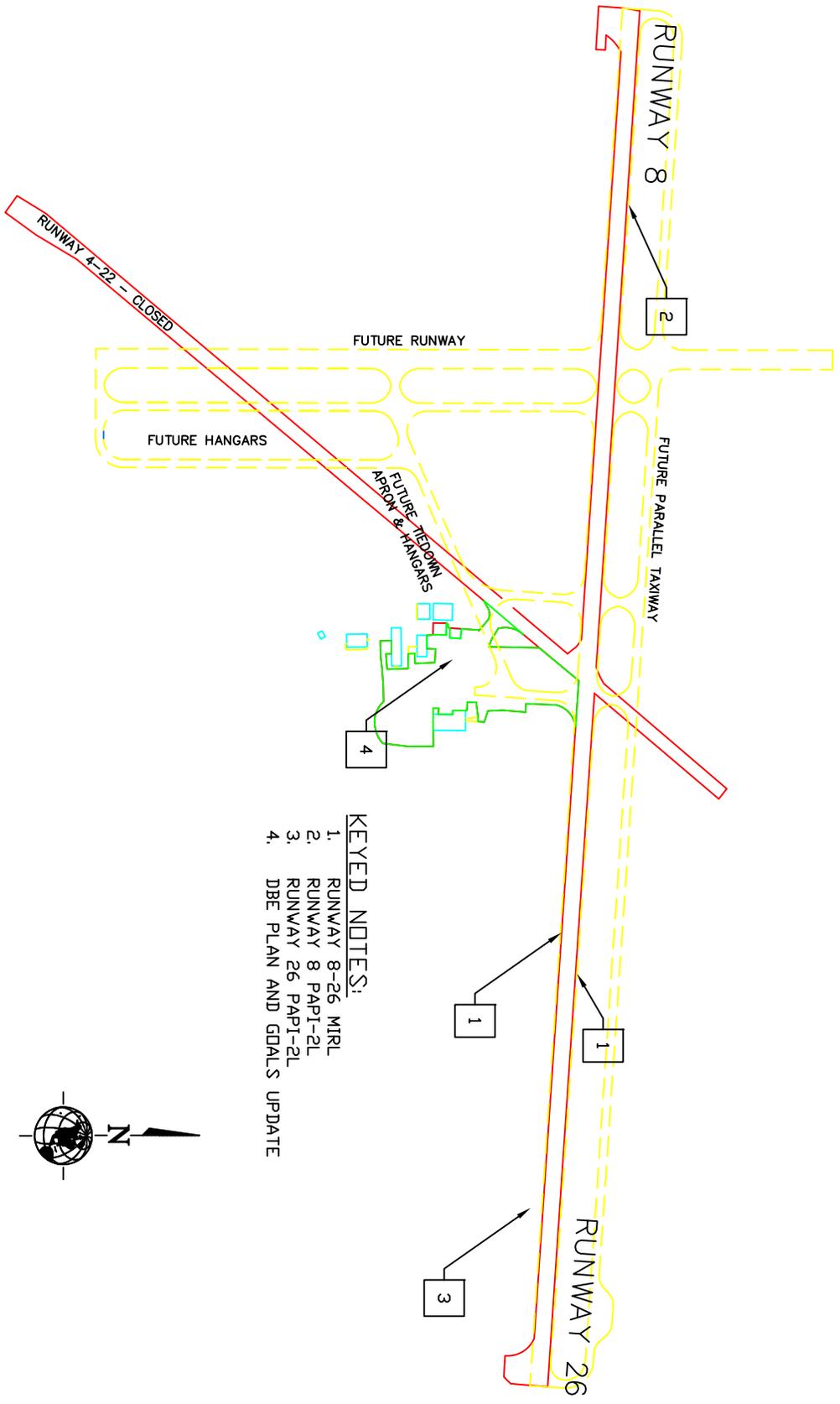
NOW, THEREFORE be it resolved that the governing body of the City of Aztec, New Mexico hereby adopts and approves this resolution and authorizes the City Manager to execute all documents related to the project and directs staff to take actions necessary to implement and fund this resolution and project.

Passed, Adopted and Approved this 8th day of May 2018.

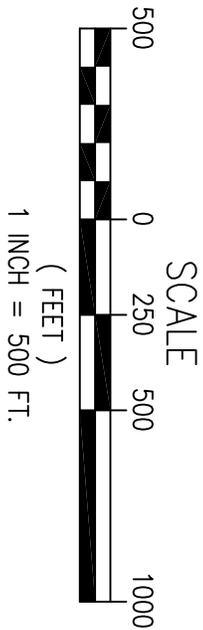
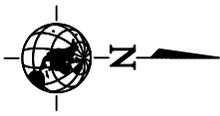
Victor C. Snover, Mayor

Attest:

Karla Saylor, City Clerk



- KEYED NOTES:**
1. RUNWAY 8-26 MIRL
 2. RUNWAY 8 PAPI-2L
 3. RUNWAY 26 PAPI-2L
 4. DBE PLAN AND GOALS UPDATE



AZTEC MUNICIPAL AIRPORT (N19)
 RUNWAY 8-26 MIRL/RUNWAYS 8 AND 26 PAPI-2L
 PROJECT SKETCH

4/25/2018

VERSION: 2

SHEET 1

Application for Federal Assistance SF-424

* 1. Type of Submission:

- Preapplication
 Application
 Changed/Corrected Application

* 2. Type of Application:

- New
 Continuation
 Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS:

d. Address:

* Street1:

Street2:

* City:

County/Parish:

* State:

Province:

* Country:

* Zip / Postal Code:

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

Title:

Organizational Affiliation:

* Telephone Number:

Fax Number:

* Email:

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

*** 12. Funding Opportunity Number:**

NA

* Title:

NA

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Aztec, New Mexico.docx

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Medium Intensity Runway Light, Primary and Supplemental Wind cones and PAPI Runways 8/26 - Design Only phase, Update DBE program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="114,766.00"/>
* b. Applicant	<input type="text" value="6,377.00"/>
* c. State	<input type="text" value="6,376.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="127,519.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

**** I AGREE**

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:

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	
<input style="width: 90%;" type="text" value="City of Aztec, NM"/>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input style="width: 50px;" type="text" value="Mr."/> <input style="width: 20px;" type="text"/>	* First Name: <input style="width: 200px;" type="text" value="Victor"/>
Middle Name: <input style="width: 150px;" type="text" value="C."/>	* Last Name: <input style="width: 300px;" type="text" value="Snover"/>
* Title: <input style="width: 250px;" type="text" value="Mayor"/>	Suffix: <input style="width: 50px;" type="text"/>
* SIGNATURE: <input style="width: 300px; height: 30px;" type="text"/>	* DATE: <input style="width: 80px; height: 20px;" type="text"/>



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

Sponsor:

Airport:

Project Number:

Description of Work:

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



Drug-Free Workplace Airport Improvement Program Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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:

Address:

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 day of , .

Name of Sponsor:

Name of Sponsor's Authorized Official:

Title of Sponsor's Authorized Official:

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.

Selection of Consultants

Airport Improvement Program Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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 day of , .

Name of Sponsor:

Name of Sponsor’s Authorized Official:

Title of Sponsor’s Authorized Official:

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.

Project Plans and Specifications

Airport Improvement Program Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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/). 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 day of , .

Name of Sponsor:

Name of Sponsor's Authorized Official:

Title of Sponsor's Authorized Official:

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.



Equipment and Construction Contracts Airport Improvement Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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) 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
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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 day of , .

Name of Sponsor:

Name of Sponsor's Authorized Official:

Title of Sponsor's Authorized Official:

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.



Construction Project Final Acceptance Airport Improvement Program Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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
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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
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3. All acceptance tests specified in the project specifications were or will be performed and documented. (AC 150/5370-12).

Yes	No	N/A
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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 day of , .

Name of Sponsor:

Name of Sponsor's Authorized Official:

Title of Sponsor's Authorized Official:

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.



Real Property Acquisition Airport Improvement Program Sponsor Certification

Sponsor:

Airport:

Project Number:

Description of Work:

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 day of , .

Name of Sponsor:

Name of Sponsor's Authorized Official:

Title of Sponsor's Authorized Official:

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.

Staff Summary Report

MEETING DATE:	May 8, 2018
AGENDA ITEM:	X. CONSENT AGENDA (E)
AGENDA TITLE:	RFP 2018-624 Engineering Task Order #2 for Airport Runway Light Design and DBE Program Update

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Approval of Engineering Task Order #2
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- Bohannon Huston was selected for General Airport Engineering Services through RFP 2018-624 (awarded by City Commission in November 2017). A master agreement was executed with a provision that task orders would be issued for each project.
- A requirement of federal funding assistance for the airport is that the RFP document identifies the projects for which the consultant may be retained. The RFP issued last fall included:
 - Airport Action Plan Updates;
 - Airport Layout Plan Updates;
 - Capital Improvement Plan (CIP) Updates;
 - **DBE Program Updates;**
 - Electrical, Lighting and Signage upgrades and expansions;
 - Storm water management plan updates and revisions;
 - Land Acquisition including environmental assessments, appraisals and purchase;
 - South Aircraft Parking Apron Reconstruction, Design; and Construct
 - **Runway 8-26 Lighting and Visual Aids, Design and Construct;**
 - Runway 8-26 Pavement Maintenance, Design and Construct;
 - Crosswind Runway, Design and Construct;
 - Wildlife Hazard Assessment;
 - Wildlife, security and perimeter fencing, Design and Construct
 - T Hanger Site Development, Design and Construct;
 - Airport Hanger Development, Design and Construct;
 - Automated weather observation system, Design and Construct
 - Airport Equipment (specification development)
 - Planning and consulting services
 - Other projects that may be approved over the 4 year period of this contract for services
- Task order #2 is specific to the DBE Program Updates (required every three years) and Runway 8-26 Lighting and Visual Aid – Design Only. Task order #1 (action plan update) has not yet been submitted for commission approval but is anticipated action will be requested in June. Construction management of the runway lighting project will be a separate task order, most likely in 2019.

- Task order #2 is currently being independently reviewed to determine fees are appropriate for the tasks proposed. This is a federal funding assistance requirement.
- Bohannon Huston estimates the design (including FAA and NMAD approvals) to require approximately 9 months.

PROCUREMENT

- No additional procurement process is required with task order process

FISCAL IMPACTS

- Total estimated costs are \$116,355.67 without tax, \$125,515.57 with tax.
- Federal and state funding assistance will be requested for the design of the runway lights and DBE program update. Federal assistance is 90%, state assistance is 5% and city funding is 5% or \$6,276.
- The FY18 Adopted Budget includes this project and the required City match.

SUPPORT DOCUMENTS: Bohannon Huston, Incorporated Task Order #2

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Engineering Task Order #2 for Airport Runway Light Design and DBE Program Update in the amount of \$116,355.67 (not including tax)

TASK ORDER TWO (2)

FROM

City of Aztec, New Mexico

TO

Bohannon Huston, Incorporated

AIP NO.3-35-0056-008-2018

NMAD N19-XX-18

City of Aztec Agreement No. 2018-624

1. Task Order No. 2 (Two)
2. Title: Design only – Medium Intensity Runway Light (MIRL) for Runway 8-26, Install Precision Approach Path Indicator (PAPI) Runways 8 and 26
3. Location: Aztec (N19) Municipal Airport
4. General Scope of Services Required: This Task Order will prepare the design of a new Medium Intensity Runway Light system installation and installation of a new Precision Approach Path Indicators for Runways 8 and 26 including design of a new electrical equipment vault and controls. This design is in anticipation of FAA funding for the construction in FAA FY 2019.
5. City of Aztec Contacts: Steve Mueller, Interim City Manager; Kathy Lamb City Finance Director; Wallace Begay, Airport Manager

Bohannon Huston, Inc. Inc. Contact: Dumas Slade, Mark Huntzinger
Others: Albert Thomas, BHI Sr. V.P.

6. Estimated Performance Time: 9 Months
7. Estimated Cost: \$116,355.67 without NMGR, LUMP SUM Basis (\$125,518.57 w/ NMGR @ 7.875% for budgeting)

90.0% FAA Share	\$112,966.71
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5.0% NMAD Share	\$ 6,275.93
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5.0% Sponsor Share	\$ 6,275.93
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8. Attachments:
 - Scope of Work
 - Schedule
 - Fee proposal detail

9. The Parties hereto executed the original Master Service Agreement on November 15, 2017

City of Aztec, New Mexico

BOHANNAN HUSTON, INC., Inc.

Date: _____ Date: _____

10. Modification No. _____

SCOPE OF WORK - AZTEC MUNICIPAL AIRPORT

This project will consist of the design for installation of a Medium Intensity Runway Light (MIRL) system for Runway 8-26 and Precision Approach Path Indicator (PAPI) systems for Runways 8 and 26 at the Aztec Municipal Airport.

Prior to approval of the BHI Task order, an Independent Fee Estimate (IFE) will be required by FAA to validate our proposed fee for the design and associated non-design tasks. The FAA requires the IFE be performed by an independent non-interested party familiar with the FAA and FAA design processes and requirements. BHI will provide the scope of work and a "sanitized" version of the fee proposal spreadsheet to the city for use in retaining an independent fee reviewer. The cost for the IFE is an FAA eligible, reimbursable expense.

Design elements will include evaluation of primary power requirements for the MIRL, new Light Emitting Diode (LED) primary wind cone, LED supplemental wind cones and LED Precision Approach Path Indicators (PAPI) for Runways 8 and 26. The medium intensity edge lights will be base mounted LED, with the 5-kV series circuit installed in conduit due to site soil conditions with significant large angular rock in the soil.

The MIRL light layout, and airfield guidance sign legends and layout will be designed. The PAPI siting will require a survey for the PAPI Obstacle Clearance Survey and Light Signal Clearance Surface (EB-95) and ground elevations in the vicinity of the PAPIs. The siting will then be designed.

A new pre-fabricated electrical vault enclosure for the airfield electrical system will be included in the design with controls for a new 4.5 or 7 kW constant current regulator, airfield circuit selector controls for the beacon, wind cones, PAPIs and edge lights. The MIRL will be designed to operate on a time clock and through pilot operated radio control. The electrical design will include one-line diagrams for the controls and panel layout, schematic for the vault layout including primary power to the vault and secondary power for the electrical components (MIRL, wind cones, PAPIs). The new primary wind cone and PAPI circuits will have a dedicated 120/240-volt circuit. The supplemental wind cones will be interconnected with the MIRL circuit. The existing Rotating Beacon will be included in the lighting control panel controls.

Land and construction easements for the PAPI's will be identified, with the city responsible for obtaining the necessary land interests.

A bore under Runway 8-26, the new connector taxiway from the apron to the runway, the "dog leg" taxiway and two open trench pavement cuts across closed Runway 4-22 will be required.

Construction drawings and specifications will conform to the latest FAA Advisory Circulars (AC's) available at the time of design.

The PAPI Obstacle Clearance Surface (OCS) and Light Signal Clearance Surface (LSCS) evaluation out 4 nautical miles in accordance with FAA Engineering Brief 95. Spatial data from the City of Aztec's aerial photogrammetry will be used to the extent possible. Aerial photogrammetry will be flown and used where City of Aztec's data does not cover. Physical surveys to verify possible obstructions within the OCS/LSCS will be conducted.

Environmental clearance will be preparation of the FAA SOP 5.0 "Documented CATEX" and consultation and coordination with the FAA environmental specialist in Ft. Worth. A preliminary

Design Basis and Preliminary Engineering Report will be prepared for the FAA's review and approval at the approximate 30% design level.

Another FAA requirement early in the process is the development and preparation of the Construction Safety and Phasing Plan including electronic submittals of the FAA's 7460 for airspace review for the project construction phases and limits and OE/AAA evaluation for airspace clearance for the new wind cones, PAPI's and electric equipment vault.

For non-standard conditions identified in the design phase, "Modification to Standards" will be prepared and sent to the FAA regional office for review and evaluation.

The city's airport specific 3-year Disadvantaged Business Enterprise (DBE) plan and goals will require development of the new 3- year overall DBE goals as well as the MIRL project specific DBE construction goals. This will be coordinated with our DBE preparation specialist for the new 3- year goals and project specific goals for incorporation into the construction bidding documents.

Milestone design reviews will be coordinated with the FAA, State Aviation Division and City staff. One plan-in-hand field review will be conducted to verify design conditions are consistent with actual conditions on the ground.

99% level Plans, Specifications, Bidding Documents, CSPP will be the final deliverable product. Prior to advertising for construction bids anticipated in the spring of 2019 federal and state wage rates will be obtained and the bidding documents reviewed for any minor changes in the federal, state of city bidding requirements. The actual bidding phase and construction observation phases will be accomplished under a separate Task Order.

SCHEDULE

Consultant selection	Under contract
City Notice to Proceed	NTP + 0
Design kick-off meeting with city	NTP + 1 week
Design site visit	NTP + 1 week
Design survey	NTP + 4 weeks
PAPI obstruction clearance survey & light signal clearance evaluation	NTP + 4 weeks
60% design & preliminary engineering report To city, FAA, State Aviation Division	NTP + 10 weeks
Design comments to BHI	NTP + 14 weeks
90% Plans, specifications, Estimate of probable Construction cost, design basis report	NTP + 20 weeks
Final design comments to BHI	NTP + 24 weeks
99% design ready to bid (needing wage rates) (Anticipate bidding March 2019)	NTP + 28 weeks

Staff Summary Report

MEETING DATE: May 8, 2018
AGENDA ITEM: XIII. Business (A)
AGENDA TITLE: Intent to Adopt Ordinance 2018-473 Amending Section 8-21 Fire Code, Standards Adopted

ACTION REQUESTED BY: City of Aztec Fire Chief Kevin Simpson
ACTION REQUESTED: Approve the Intent to Adopt Ordinance 2018-473 Amending Section 8-21 Fire Code, Standards Adopted
SUMMARY BY: City Clerk Office

PROJECT DESCRIPTION / FACTS

Periodically the Aztec Volunteer Fire department reviews Chapter 8 Fire Prevention and Protection. In their latest review they discovered the Aztec City Code referenced the International Fire Code 2009 edition.

However, the Fire Department operates under the newer International Fire Code 2015 edition.

For consistency purposes, this requires the City Commission to adopt the proposed ordinance to properly reference the current International Fire Code.

SUPPORT DOCUMENTS: Ordinance 2018-473

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Intent to Adopt Ordinance 2018-473 Amending Section 8-21 Fire Code, Standards Adopted

**City of Aztec
Ordinance 2018-473**

Amending Section 8-21 Fire Code, Standards Adopted

WHEREAS: The Aztec Fire Department periodically reviews the Fire Prevention Code; and

WHEREAS: The Aztec Fire Department no longer adheres to the 2009, but has implementing 2015 standards of the International Fire Code.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Ordinance 2018-473 Amends Section 8-21 to formally adopt the current International Fire Code standards as attached.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2018.

By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor Snover

ATTEST:

Karla Saylor, City Clerk

APPROVED AS TO FORM:

Larry T. Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

Sec. 8-21. Fire Code, Standards Adopted.

There is hereby adopted by the City of Aztec for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code and Standards known as the International Fire Code, published by International Code Council, ~~being particularly the 2009 most current edition is including Appendices B,C,D,E,F,G and I, and thereof, not less than one (1) copy has been and is now filed in the office of the City Clerk of The City of Aztec and the same are~~ hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provision thereof shall be controlling within the limits of The City of Aztec.

(Ord. 2009-375, effective July 22, 2009; Code 2007, 8-21)

Staff Summary Report

MEETING DATE:	May 9, 2018
AGENDA ITEM:	XIII. BUSINESS ITEMS (B)
AGENDA TITLE:	Intent to Adopt Ordinance 2018-474, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages

ACTION REQUESTED BY:	Staff
ACTION REQUESTED:	Approve Intent to Adopt Ordinance 2018-474, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages.
SUMMARY BY:	Delain George

PROJECT DESCRIPTION / FACTS

- The City receives several public celebration permits throughout the year.
- By New Mexico Administrative Code (NMAC) 15.10.2.7 (BB) "Public Celebration" means any state fair, county fair, community fiesta, cultural or artistic performance or event, professional athletic competition and events or activities that are seasonal in nature or activities held on an intermittent basis that are open or advertised to the general public.
- A small brewer, winegrower or craft distiller may apply to the New Mexico Alcohol and Gaming Division (NMAGD) for a public celebration permit, provided the license is not in suspension and the meets the requirements outlined by the NMAGD.
- Only New Mexico licenses that hold a Dispenser license may apply for a Special Dispenser Permit provided the license is not in suspension and meet the requirements outlined by the NMAGD.
- All permits submitted do not guarantee approval. They are at the discretion of the NMAGD Director's discretion and reviewed on a case by case basis.
- The Business License Officer administers and oversees the business and liquor licensing for the City of Aztec. This person is appointed by the City Manager.
- The City would like to make the process to grant City approval for a public celebration and special dispenser permits more efficient. By allowing the Business License Officer to be the designee to grant approval for the issuance of the public celebration and special dispenser permits on behalf of the local governing body would help make the process more efficient.
- On April 24, 2018, Delain George spoke with the Alcohol and Gaming Division and they said it is allowed to appoint a designee as long as the City's ordinances allow designees.

- On April 25, 2018, Delain George spoke with City Attorney, Larry Thrower, and Interim City Manager, Steve Mueller. Mr. Thrower confirmed that the City Commission may appoint a designee for the purposes of granting approval for a Public Celebration and Special Dispenser Permits.
- The Business License Officer will conduct a review of Public Celebration or Special Dispenser Permit Application and all required documents before granting approval for the issuance of the permit to the Alcohol and Gaming Division. Required documents will include a detailed floor plan, list of servers, which must include full name of server, server permit number and expiration date.

PROCUREMENT

Not applicable

FISCAL IMPACTS

None

SUPPORT DOCUMENTS: Ordinance 2018-474
Copy of a Public Celebration Permit Application
Copy of a Special Dispenser Permit Application

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Intent to Adopt Ordinance 2018-474, Amending the Municipal Code of Aztec, New Mexico, Chapter 4, Alcoholic Beverages.

**City of Aztec
Ordinance 2018-474
Amending the Municipal Code of Aztec, New Mexico
Chapter 4, Alcoholic Beverages**

WHEREAS; the local governing body wishes to appoint a designee to grant approval for the issuance of the public celebration and special dispenser permits, on behalf to the local governing body.

WHEREAS; it has been determined that the designee shall be the Business License Officer.

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Ordinance 2018-474 be and hereby amend Chapter 4 as follows:

**Chapter 4
ALCOHOLIC BEVERAGES**

Sec 4-1. Definitions.

The **Business License Officer** ~~person who~~ will administer and oversee the business and liquor licensing for the City of Aztec. The Business License Officer ~~person~~ will be appointed by the City Manager. **The Business License Officer is responsible for the regulations, licensing and supervision of all operations pertaining to liquor licensing within the city limits of Aztec. The Business License officer will have the authority to grant approval for the issuance of public celebration and special dispenser permits on behalf of the local governing body.**

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of JUNE 2018.
By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor S. Snover

ATTEST:

Karla Sayler, City Clerk

APPROVED AS TO FORM:

Larry Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____



PUBLIC CELEBRATION PERMIT APPLICATION: INSTRUCTIONS

LICENSEE: Merely submitting an application does not constitute approval. If Licensee does not have the Approved Permit for the Event, than the sale, service and/or delivery of alcoholic beverages is prohibited. A complete application, w/required attachments must be received by AGD AT LEAST 10 DAYS PRIOR TO THE EVENT. All fees submitted are non-refundable, even when Permit is issued and the Event is postponed and/or cancelled due to unforeseen circumstances.

ELIGIBILITY: Only New Mexico Licensees that hold a Craft Distiller, Small Brewer or Winegrower License may apply for a Public Celebration Permit (PCP). The Master Liquor License must not be in suspension or have pending citations. If the license holder will be serving alcoholic beverages from any place other than the approved and designated liquor licensed premises, a Permit is required. The local governing body of the **local option district must grant approval** for the issuance of the permit. The local governing body includes city council, county clerk, mayor, etc., and they must have authorized **SUNDAYS SALES** by the drink and the Holder of the Dispenser's License must have a Valid Sunday Sales Permit issued by the Alcohol & Gaming Division or must have a special concession issued from the local governing body pursuant to §60-6A-12(E) NMSA, 1978.

THE EVENT may be held in any Local Option District.

- **MUST NOT EXCEED 3 DAYS:** three (3) day maximum, unless permission is granted by Division Director prior to the event.
- **12 HOURS PER DAY, MAXIMUM:** Service of alcohol must not occur for more than 12 hours per day.
- **ONLY EMPLOYEES** of the Holder of the NM Craft Distiller, Small Brewer or Winegrower Liquor License with the PCP, THAT ARE CURRENTLY LICENSED SERVERS, MAY SELL, DISPENSE, OR SERVE THE ALCOHOLIC BEVERAGES FOR THE EVENT. *Reminder: No Sale to Minors or Intoxicated Persons; No Sale, Service or Consumption before or after the times listed on Permit; Licensee and Employees restricted from consuming alcoholic beverages at the Special Event; No more than 2 Unconsumed drinks may be in the possession of one person. Servers are not permitted to provide more than the legal amount.*
- **MUST NOT REMOVE BEER, WINE OR SPIRITS FROM AREA OF THE CELEBRATION:** A wine grower, small brewer and/or craft distiller is authorized to dispense New Mexico produced alcohol as allowed by their license type, by the drink for consumption at the celebration. By-the-drink dispensed New Mexico produced products cannot be removed from the area of the event. The licensee is authorized to dispense the alcohol allowed by that license type in unbroken packages. The unbroken packages may be removed from the area of the celebration.
- **MUST POST PUBLIC CELEBRATION PERMIT AT EVENT:** After PCP is issued, Licensee is legally required to Post Permit along with Signage (*i.e., pregnancy, firearms, minors, etc.*) and it must be prominently posted at the locations where the alcohol will be dispensed, as indicated by the Approved Floor Plan for the Event. Permits are subject to the same requirements and restrictions contained in the Liquor Control Act and are subject to citation for any violation.

APPLICATION PROCESS: A complete Application must be received by AGD at least 10 days prior to the Event. Application **must be signed by the Licensee, before a Notary.** Faxed Applications not accepted and incomplete applications will be returned. Licensee **MUST** obtain the Building/Property Owner's permission to allow Event serving Alcohol in their facility. **The Following are also required and must be attached:**

- A) **FEES: \$10 per day,** Applicable daily fees must be submitted by business check, Money Order or Cashier's Check
- B) **FLOOR PLAN:** Detailed Floor Plan, include Pictures, designating restricted and unrestricted areas
 - ✓ A Detailed Floor Plan (on 8 ½ x 11 sheet) must be submitted showing exactly where the event is to be held
 - ✓ Total Square Footage for the proposed service area
 - ✓ Must show the location of Bars, Security, Serving Areas, Entrances, Exits
 - ✓ Enclosed or barricaded serving areas must also be clearly marked
 - ✓ If there are any patios or outside areas, indicate how they are enclosed to prevent alcohol from leaving the premises; Describe type and height of Enclosure; Must be four (4) feet or higher
 - ✓ Placement and Location of Security Personnel; If Security is deemed insufficient, the Director may require additional Security Personnel or may deny permit. The average is 1 security personnel per 100 people, but may be increased depending upon the type of event requested.
- C) **LIST OF SERVERS:** Accurate List of Servers at the Event, including the Full Name of Employee, Server Permit Number and Expiration Date

ALCOHOL & GAMING DIVISION | PUBLIC CELEBRATION PERMIT APPLICATION
(§60-6A-11 / 60-6A-26.1 NMSA)

FEE PER DAY: \$10.00, **No. of Days:** _____ (DO NOT SUBMIT CASH) **Date Application Filed:** _____

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: Check boxes that apply

Liquor License # _____ **Type of License:** Craft Distiller Small Brewer Winegrower

Business Name (DBA): _____ **Owner Name:** _____

Mailing Address: _____ **City, State & Zip:** _____

Phone: _____ **Fax No.:** _____ **Email Address:** _____

EVENT INFORMATION: _____ **Date(s) /Duration of Event:** _____

Description and Name of Event: _____

Physical Address of Event: _____

Type of Event: Indoor Event Only Outdoor Event Only Beer Garden All Ages Event/^{Wrist Bands and/or Stamps}

Type of Celebration: State Fair County Fair Community Fiesta Cultural / Artistic Performance Athletic

TIME:

Event Begins at: _____ **Event Ends at:** _____ **Total Number of Attendees Expected at Event:** _____

Alcohol Service Begins at: _____ **Alcohol Service Ends at:** _____ **Total # of Attendees Expected to Consume Alcohol:** _____

SECURITY: Describe Type: _____ **Number of Security:** _____

Security Contact Name: _____ **Contact Telephone #:** _____

Note: Licensee's employee(s) assigned to work security, must work this exclusively and may not serve at the Event.

SPONSOR INFORMATION: Sponsor of Event: _____

Name of Contact: _____ **Phone:** _____

APPROVAL OF PROPERTY OWNER: Phone Number: _____

Print Name: _____ **Signature:** _____ **Date:** _____

Name of Your Business and Location of Property: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, _____ (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License, *that Event is not within 300 feet of a church or school* unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body.

I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits. I understand that all fees submitted are non-refundable. **Must sign before a Notary:**

Licensee Name: (print) _____ **Signature:** _____ **Date:** _____

NOTARY PUBLIC USE ONLY: (State of _____, County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20____

By: _____ **Notary Public:** _____

SEAL

My Commission Expires: _____

LOCAL GOVERNING BODY APPROVAL: **Print Name:** _____ **Title:** _____

Signature: _____ **Date:** _____ **Phone:** _____ **Fax:** _____

AGD USE ONLY: Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) & Detailed Server List

FINANCE| Application Fee \$ _____ **Received on:** _____ **Receipt No.** _____

Clear of Citations/Holds: Yes No, _____ Approved Disapproved, _____

Processed By: _____ **Date:** _____

Assigned Permit Number: _____ **Approved Permit Sent on:** _____ **By:** Email Fax



SPECIAL DISPENSER PERMIT APPLICATION: INSTRUCTIONS

ELIGIBILITY: Only New Mexico Licensees that hold a Dispenser, Inter-Local, Rural Dispenser, Lottery, or Canopy License may apply for a Special Dispenser Permit (SDP). The Liquor License must not be in suspension or have pending citations. If the license holder will be serving alcoholic beverages from any place other than the approved liquor licensed premises, a Permit is required. The local governing body of the **local option district (LOD) must grant approval** for the issuance of the permit. The local governing body includes the city council, county clerk, mayor, etc. If the event is to be held on a Sunday, the LOD must have held an election to allow **Sunday Sales** by the drink and the license holder must have a valid Sunday Sales Permit issued by the Alcohol & Gaming Division or must have a special concession issued from the local governing body pursuant to §60-6A-12(F) NMSA, 1978.

THE EVENT must be held within the SAME Local Option District that the Dispenser's License is issued in.

- Event must not exceed a three (3) day maximum unless permission is granted by the Division Director prior to the event.
- The Permit shall be valid for no more than 12 hours per day and the Director may reduce the number of hours allowed.
- Only server certified employees of the Liquor License Holder seeking the SDP, may sell, dispense, or serve alcoholic beverages at the Event. *Reminder: No Sales to Minors or Intoxicated Persons; No Sale, Service or Consumption before or after the times listed on Permit; Licensee and Employees are restricted from consuming alcoholic beverages at the Event; No more than 2 unconsumed drinks may be sold or served to one person at any given time.*
- **MUST POST SPECIAL DISPENSER PERMIT AT EVENT:** After the SDP is issued, the Licensee is required to post the Permit along with the required signage (*i.e., pregnancy, firearms, minors, posters*). The Permit must be prominently posted at the locations where the alcohol will be dispensed, as indicated by the Approved Floor Plan for the Event. Permits are subject to the same requirements and restrictions contained in the Liquor Control Act and are subject to citation for any violation.

LICENSEE PLEASE NOTE: Merely submitting an application does not constitute approval. If the Licensee does not have an Approved Permit for the Event, then the sale, service and/or delivery of alcoholic beverages is prohibited. A complete application, with required attachments must be received by AGD **AT LEAST 10 DAYS PRIOR TO THE EVENT**. All fees submitted are non-refundable, even when the Permit is issued and the Event is postponed and/or cancelled due to unforeseen circumstances.

APPLICATION PROCESS: A complete Application must be received by AGD at least 10 days prior to the Event. Applications must be signed by the Licensee, before a Notary. Faxed Application not accepted and incomplete applications will be returned. Licensee must obtain the Building/Property Owner's permission to allow an Event serving alcohol in their facility. **The following are also required and must be attached:**

- A) **FEES:** Private Event \$25 per day, only open to those with an invitation or known to sponsor, or Public Event \$50 per day, open to public.
Applicable daily fees, must be submitted by business check, Money Order or Cashier's Check
- B) **FLOOR PLAN:** Detailed Floor Plan, include Pictures, designating restricted and unrestricted areas
- Detailed Floor Plan (on 8 ½ x 11 sheet) must be submitted showing exactly where the event is to be held
 - Total Square Footage for the proposed service area
 - Must show the location of Bars, Security, Serving Areas, Entrances, Exits
 - Enclosed or barricaded serving areas must also be clearly marked
 - If there are any patios or outside areas, indicate how they are enclosed to prevent alcohol from leaving the premises; Describe type and height of enclosure; Must be three (3) feet or higher
 - Placement and Location of Security Personnel; If Security is deemed insufficient, the Director may require additional Security Personnel or may deny permit. The average is 1 security personnel per 100 people, but may be increased depending upon the type of event requested.
- C) **LIST OF SERVERS:** Accurate List of Servers at the Event, including the Full Name of Employee, Server Permit Number and Expiration Date.

ALCOHOL & GAMING DIVISION | SPECIAL DISPENSER PERMIT APPLICATION (§60-6A-12 NMSA)

FEE PER DAY: \$25.00 Private Event (Catered), No. of Days: _____ \$50.00 Public Event, No. of Days: _____

ALL FEES ARE NON-REFUNDABLE

A copy of all approved permits are sent to the Special Investigations Division of the Department of Public Safety, and DPS will request additional information, if needed.

LICENSE HOLDER INFORMATION: Date Application Filed: _____ Local Option District (LOD): _____

Liquor License # _____ Clear of Citations/Holds: Yes No

Business Name (DBA): _____ Owner Name: _____

Mailing Address: _____ City, State & Zip: _____

Phone: _____ Fax No.: _____ Email Address: _____

EVENT INFORMATION:

Description and Name of Event: _____ Date(s) /Duration of Event: _____

Physical Address of Event and Name of Building: _____

Check all that apply: Indoor Event Only Outdoor Event Only Beer Garden All Ages Event

Time Event Begins: _____ Time Event Ends: _____ Total Number of Attendees Expected at Event: _____

Time of Alcohol Service: _____

Begins at: _____ Ends at: _____ Total Number of Attendees Expected to Consume Alcohol: _____

Security, Describe: _____ Number of Security: _____

Security Contact Name: _____ Contact Telephone # _____

Note: Licensee's employee(s) assigned to work security, must work this exclusively and may not serve at the Event.

SPONSOR INFORMATION: Sponsor of Event: _____

Name of Contact: _____ Phone: _____

APPROVAL OF PROPERTY OWNER: Phone: _____

Print Name: _____ Signature: _____ Date: _____

Name of Your Business: _____

LICENSE HOLDER & SERVER CERTIFICATION: I, _____ (Licensee) hereby certify that this application is signed by Licensee or authorized person under this License, that the Event is within the same Local Option District as the Dispenser's License and *that Event is not within 300 feet of a church or school* unless alcoholic beverages were sold there prior to July 1, 1981 or a waiver is obtained from the local governing body.

I further certify that all persons providing the service of alcoholic beverages at the Event are currently Server Certified, that they are all my employees, and that ALL the information in this Application and the Attachments, is true and correct. Licensee Agrees that if any statements or representations herein are found to be false, the Director may refuse to issue additional permits.

Must sign before a Notary:

Licensee Name: (print) _____ Signature: _____ Date: _____

NOTARY PUBLIC USE ONLY: (State of _____, County of _____)

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20_____

By: _____ Notary Public: _____

SEAL

My Commission Expires: _____

LOCAL GOVERNING BODY APPROVAL: Print Name: _____ Title: _____

Signature: _____ Date: _____ Phone: _____ Fax: _____

ALCOHOL & GAMING DIVISION USE ONLY:

Application Must Include: Payment of Fees, per day (listed on top of page), Floor Plan – (w/photos) and Detailed Server List

Approved Disapproved

Processed By: _____ Date: _____

Assigned Permit Number: _____ Approved Permit Sent on: _____ By: Email Fax

Staff Summary Report

MEETING DATE: May 8, 2018
AGENDA ITEM: XIII. Business (C)
AGENDA TITLE: Intent to Adopt Ordinance 2018-475 Amending Article IV of Chapter 25 to Adopt a Revised Water Conservation Plan

ACTION REQUESTED BY: City Manager
ACTION REQUESTED: Approve the Intent to Adopt Ordinance 2018-475 Amending Article IV of Chapter 25 to Adopt a Revised Water Conservation Plan
SUMMARY BY: City Manager

PROJECT DESCRIPTION / FACTS

It has been 16 years since the City of Aztec had to implement the Water Conservation Plan due to drought conditions.

City Staff has reviewed the Water Conservation Plan of 2003 and found the need to make some changes.

The current City Code Sec. 25-86, was found to be confusing as regulating and limiting use of water was combined with reference to a Water Conservation Plan and the two concepts are not necessarily mutually related.

City Staff has decided to create a new section, Sec. 25-105 which is solely specific to the Water Conservation Plan.

This ordinance allows for the change.

The revised Water Conservation Plan was provided in the Workshop section.

SUPPORT DOCUMENTS: Ordinance 2018-475

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the Intent to Adopt Ordinance 2018-475 Amending Article IV of Chapter 25 to Adopt a Revised Water Conservation Plan

**City of Aztec
Ordinance 2018-475**

Amending Article IV of Chapter 25 to Adopt a Revised Water Conservation Plan

- WHEREAS,** a water shortage or water shortage emergency may be declared from time to time by the City of Aztec affecting the City of Aztec.
- WHEREAS,** the City's water needs are supplied from the surface water flows of the Animas River, and
- WHEREAS,** the Animas River flows vary with snow pack and rainfall and water supplies may become insufficient to meet current or anticipated demand; and
- WHEREAS,** upon the existence of such conditions it becomes imperative to the public well being that certain uses of water be restricted or curtailed and that available water resources be allocated; and
- WHEREAS,** the City of Aztec has adopted a "Water Conservation Plan" for the purpose of allocating and conserving water during periods of water shortage and maintaining a uniform approach towards water use restrictions; and
- WHEREAS,** *this "Water Conservation Plan"* may be implemented and amended by the City Manager to accommodate and account for unforeseeable circumstances which could pose a threat to the health, welfare, and safety of the public; and
- WHEREAS,** the City Commission hereby finds and declares that adoption of this ordinance is necessary, appropriate, and in the public interest of citizen of this community; now therefore;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Aztec, New Mexico that Ordinance 2018-475 amends Section 25-86 and creates Section 25-105 Water Conservation Plan.

PASSED, APPROVED, SIGNED AND ADOPTED THIS _____ day of _____ 2018.

By the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor Snover

ATTEST:

Karla Sayler, City Clerk

APPROVED AS TO FORM:

Larry T. Thrower, City Attorney

ADVERTISED DATE OF FINAL ADOPTION: _____

EFFECTIVE DATE OF ORDINANCE: _____

Sec. 25-86. ~~Water Conservation Plan~~, Regulation and Limitations on Use of Water.

- ~~1. The city hereby adopts a water conservation plan for the purpose of allocating and conserving water during periods of water shortage and maintaining a uniform approach towards water use restrictions. This water conservation plan is on file and available to the public through the city clerk's office. The plan may be amended by the city manager to accommodate and account for unforeseeable circumstances which could pose a threat to the health, welfare and safety of the public.~~
2. The city manager shall have full power and authority to regulate and limit the use of water for sprinkling of lawns and grounds. He may divide the area served by the water system into zones and by written notice to the affected water users, prescribe the hours and days during which water may be used for sprinkling grounds in each such zone, and the number and size of valves, faucets, hydrants or hoses which may be used therefore during the prescribed time. In which event, it shall be unlawful for any water user to sprinkle grounds with water purchased under the provisions of this article at any time and in any manner other than the time and manner prescribed as aforesaid. The manager of the water system shall require sufficient deposits from water users to ensure payment of all water service charges not specifically included in the above provisions. He shall also require additional deposits for customers whose payment record indicates excessive risk and for those whose usage is such that the above service deposit fails to provide adequate coverage to guarantee final payment of charges.

(Code 2007, 25-86)

Secs. 25-101 to 25-104. Reserved.

Sec. 25-105. Water Conservation Plan.

The city hereby adopts a water conservation plan for the purpose of allocating and conserving water during periods of water shortage and maintaining a uniform approach towards water use restrictions. Major revisions of the plan can be adopted by the City Commission through the approval of a resolution. Minor revisions or amendments of the plan can be done by the City Manager to accommodate and account for unforeseeable circumstances which could pose a threat to the health, welfare and safety of the public.

Secs. 25-106 to 25-110. Reserved.