

A G E N D A
CITY OF AZTEC
CITY COMMISSION WORKSHOP
April 9, 2019
201 W. Chaco, City Hall
5:15 p.m.

5:15-6:00 p.m.

Comprehensive Plan Overview

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:	April 09, 2019
AGENDA ITEM:	Comprehensive Plan Overview
AGENDA TITLE:	Comprehensive Plan Overview

ACTION REQUESTED BY:	Community Development Department
SUMMARY BY:	Steven Saavedra – CFM

PROJECT DESCRIPTION / FACTS

- The City of Aztec's Comprehensive Plan was adopted in 2002. A comprehensive plan should be updated every 10 to 15-years.
- The Comprehensive Plan includes, but not limited to the future direction of the City, land use development, affordable housing, neighborhood and subdivision design, aesthetic design for commercial structures, parks and open space, transportation, etc.
- Numerous grant and loan applications refer to a Comprehensive plan for eligibility or preference.

SUPPORT DOCUMENTS:	Aztec's 2002 Comprehensive plan
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AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
April 9, 2019
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 Cultures

V. ROLL CALL

VI. AGENDA APPROVAL

VII. PRESENTATION

Chamber of Commerce-Sandra Harbor

VIII. CITIZEN RECOGNITION

IX. EMPLOYEE RECOGNITION

X. CITIZENS INPUT (3 Minutes Maximum)

XI. CONSENT AGENDA

- A. Commission Workshop Meeting Minutes March 26, 2019
- B. Commission Meeting Minutes March 26, 2019
- C. Four Corners Economic Development Letter of Support
- D. Resolution 2019-1126 Municipal Surplus
- E. 2020 Senior Center Funding Application
- F. RFP 2017-608 Annual Financial Audit Contract for FY2019
- G. FY20 Municipal Fire Protection Fund Distribution Application
- H. Airport Maintenance Grant
- I. Resolution 2019-1127 USDA Grant Application
- J. Resolution 2019-1128 BLM Water Pipeline Right of Way Application and Signatory Authority

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XI. CONSENT AGENDA (continued)

- K. Resolution 2019-1129 Authorizing Closing of Time Certificates of Deposit for City
- L. Resolution 2019-1130 Animas River Habitat Enhancement and Bank Stabilization Grant

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"

XII. ITEMS FROM CONSENT AGENDA

XIII. BUSINESS ITEMS

- A. Intent to Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6 Municipal Judge

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 CITY OF AZTEC
2 WORKSHOP MEETING MINUTES
3 March 26, 2019
4

5 **I. CALL TO ORDER**
6

7 Mayor Snover called the Workshop to order at 5:30 pm at the Aztec City
8 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
9

10 MEMBERS PRESENT: Mayor Victor Snover; Mayor Pro-Tem Fry;
11 Commissioner Sherri Sipe; Commissioner,
12 Mark Lewis; Commissioner Randall
13

14 MEMBERS ABSENT: NONE
15

16 OTHERS PRESENT: City Manager Steve Mueller; Finance Director
17 Kathy Lamb; City Attorney Nicci Unsicker;
18 Judge Carlton Gray; Project Manager Ed
19 Kotyk; City Clerk Karla Sayler
20

21 **A. Municipal Judge Compensation**

22 City Manager Steve Mueller explained that the compensation for the
23 Municipal Judge has not been reexamined since 2003 and in comparison
24 with the rest of the State we are due for an adjustment. This adjustment will
25 not come into effect until after the next election cycle. Judge Carlton Gray
26 reviewed the comparisons of Municipalities of similar sizes to Aztec with
27 Commission. He explained that other judges in the state do not receive the
28 benefit packages like he does but he will qualify for insurance. Compensation
29 for the Judge is set by City ordinance. Commission felt like this is something
30 that will make it current with standard practices throughout the state.
31

32 **II. ADJOURMENT**
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34 Moved by Mayor Snover to adjourn the meeting at 5:40 p.m.
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Mayor, Victor C. Snover

ATTEST:

Karla Saylor, City Clerk

MINUTES PREPARED BY:

Sherlynn Morgan, Administrative Assistant

CITY OF AZTEC
COMMISSION MEETING MINUTES
March 26, 2019

I. CALL TO ORDER

Mayor Victor Snover called the Meeting to order at 6:00 pm at the Aztec City Commission Room, City Hall, 201 W. Chaco, Aztec, NM.

II. INVOCATION

The Invocation was led by Mayor Snover

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Snover

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.

The New Mexico pledge was led by Mayor Snover

V. ROLL CALL

Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;
Commissioner Sipe; Commissioner Mark
Lewis; Commissioner Austin Randall

Members Absent: NONE

Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker;
Project Manager Ed Kotyk; City Clerk Karla Sayler (see
attendance sheet)

VI. AGENDA APPROVAL

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

All voted Aye: Motion passed five to zero

47 **VII. CITIZEN RECOGNITION**

48
49 Steven Saavedra recognized Michael Smith and Mike Tarassa for their work on
50 the building at the corner of Chaco and Main.

51
52 **VIII. EMPLOYEE RECOGNITION**

53
54 City Manager Steve Mueller recognized the Public Works Department for all of
55 their efforts within the City.

56
57 **IX. CITIZENS INPUT (3 Minutes Maximum)**

58
59 Mayor Snover explained to everyone how he was going to conduct Citizens Input
60 and asked for everyone's cooperation.

61
62 Citizens shared their thoughts and feelings on the Second Amendment to the
63 Commission.

64
65 **X. CONSENT AGENDA**

- 66
67 A. Commission Meeting Minutes March 12, 2019
68 B. Resolution 2019-1125 Submittal of Letter to Annex BLM Lands East of
69 Aztec(PULLED)

70
71 Moved by Commissioner Sipe to pull item (B) Resolution 2019-1125 Submittal of
72 Letter to Annex BLM Lands East of Aztec, SECONDED by Commissioner Lewis

73
74 All Voted Aye: Motion Passed Five to Zero

75
76 **XI. ITEMS FROM CONSENT AGENDA**

- 77
78 B. Resolution 2019-1125 Submittal of Letter to Annex BLM Lands East of Aztec

79
80 Commissioner Randall asked if there was any other liability to the City. Project
81 Manager Ed Kotyk said that the land would still be owned by BLM. This will just help
82 with recreation in Aztec.

83 Moved by Commissioner Randall, SECONDED by Commissioner Lewis to
84 Approve Resolution 2019-1125 which Allows for the Submittal of a Letter to the Bureau
85 of Land Management.

86
87 All Voted Aye: Motion Passed Five to Zero

88
89 **XII. BUSINESS ITEMS**

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91

92 **A. Resolution 2019-1123 fy2018 Annual Financial Audit Acceptance**
93

94 Kathy Lamb Finance Director explained that there is a change in DFA rules and
95 they now require a resolution. Ben Martinez with CRI conducted the audit and
96 presented the findings. The independent auditors report was the best that a municipality
97 can get. The finding on the internal control with the Electric Department Inventory and
98 also a Travel and Per Diem these are repeat findings. He explained that the City is
99 working to fix these issues. He explained that we have a strong position and the debt
100 line has remained steady. Total assets are going up and maintaining a good functioning
101 cash balance. We have a strong positive position in the utilities. The revenues and
102 expenses have been consistent. The general fund is keeping close revenues and
103 expenses every year. Ben explained that working with the City and the Finance
104 Department has been positive. Ben explained that in the next couple of years there will
105 be some more changes to the audit information and processes.
106

107 Moved by Commissioner Randall, SECONDED by Commissioner Sipe to
108 Approve Resolution 2019-1123 Accepting and Approving the FY2018 Audit
109

110 A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero
111

112 **B. Resolution 2019-1124 Declaring City of Aztec a Second Amendment**
113 **Preservation City**
114

115 Mayor Snover opened the item up for discussion. He mentioned that there has
116 been an amendment to the resolution.

117 Commissioner Sipe explained that after conversations with legal counsel the
118 resolution has been amended because of concerns in wording by legal counsel.

119 Commissioner Randall mentioned that he had an issue with the fact that a version
120 went out in the packet and web and this is what the citizen's saw and then today he is
121 handed an amended version of the resolution. He mentioned that he would still like to
122 move ahead with the resolution that was presented to everyone in the agenda packet.

123 City Attorney Nicci Unsicker explained that in the original resolution there are
124 concerns that would open the City up to liability so the amended version is to help
125 reduce the liability and still have the voices heard.

126 Mayor Snover explained several Cities have received a letter from the Attorney
127 General's Office warning them of the language in the resolutions that have been
128 passed. He stated that every Commissioner supports the Second Amendment and they
129 all swore an oath, but they don't want to get the City in a situation from a legal
130 standpoint.

131 Commissioner Sipe mentioned that over and over in the Community forums she
132 heard that the citizens wanted the Commission to support the Second Amendment and
133 this new resolution basically states that.

134 Mayor Snover read the amended resolution.

135 The audience started to become unruly and they Mayor gave them several
136 warnings to settle down or the meeting would end.

137 Commissioner Sipe mentioned that based on what we have heard from Citizens
138 maybe we should go ahead with the resolution as it is and deal with what comes.
139

140 Moved by Commissioner Randall, SECONDED by Commissioner Sipe to
141 Approve Resolution #2019-1124 declaring the City of Aztec a Second Amendment
142 Preservation City.
143

144 A Roll Call was taken: 2 (Sipe, Randall) Voted Aye: 3 (Snover, Fry, Lewis) Voted
145 Nay: Motion Denied Three to Two
146

147 **The Audience became unruly and Captain Troy Morris escorted Commission off**
148 **of the stage and closed the meeting by asking everyone to leave the**
149 **building.**
150

151 **None of the following agenda items were heard.**
152

153
154 **XIII. LAND USE HEARINGS**

- 155
156 A. Variance 19-01 Setback from Twenty-five Feet to Twenty-One Feet in the
157 R-2 Multiple-Family Dwelling District
158 B. Zone Change 19-01 Request from Mobile Home District To R-2 Multiple
159 Family Zoning District
160

161 **XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

162
163 NONE
164

165 **XV. DEPARTMENT REPORTS**

166
167 NONE
168

169 **XVI. ADJOURNMENT**
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174 _____
Mayor, Victor Snover

175 ATTEST:

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178 Karla Saylor, City Clerk
179
180

181 MINUTES PREPARED BY:

Staff Summary Report

MEETING DATE:	April 9, 2019
AGENDA ITEM:	XI. CONSENT AGENDA (C)
AGENDA TITLE:	Four Corners Economic Development – Rural Economic Development Innovation Letter of Commitment and Support

ACTION REQUESTED BY:	Devin Scott, Four Corners Economic Development Administrative Coordinator
ACTION REQUESTED:	Approve Letter of Commitment and Support
SUMMARY BY:	Steve Mueller

PROJECT DESCRIPTION / FACTS

Four Corners Economic Development (4CED) has requested a letter of support from the City of Aztec for a USDA grant application. 4CED is in the process of putting an application together for the Rural Economic Development Innovation (REDI) Initiative. One of the main focuses of the application is to begin Phase 3 of the Future Forum which is to initiate the first three priorities that were identified at the last regional forum held November 1, 2018;

1. Connectivity/IT infrastructure
2. Four corners marketing
3. Local foods initiative.

PROCUREMENT

None at this time.

FISCAL IMPACTS

None at this time

SUPPORT DOCUMENTS: REDI Letter of Commitment and Support

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Four Corners Economic Development – Rural Economic Development Innovation Letter of Commitment and Support

Mayor
Victor C. Snover

Mayor Pro-Tem
Rosalyn A. Fry



Commissioners
Austin R. Randall
Sherri A. Sipe
Mark E. Lewis

A desirable place to live, work and play; rich in history and small town values!

April 9, 2019

USDA Rural Development Innovation Center
Rural Economic Development Innovation (REDI)
Letter of Commitment and Support

Dear Evaluators,

I respectfully submit this letter of commitment and support on behalf of the City of Aztec located in San Juan County, NM as a part of the Four Corners Economic Development, Inc. (4CED) application for the planning grant offered through the Rural Economic Development Innovation (REDI) initiative. With the dramatic changes we are witnessing in the energy sector in the Four Corners region, we are aligned with 4CED's goal of promoting the interaction of our diverse rural communities in finding solutions and building collaborative efforts to begin to diversify our regional economy.

We have participated with 4CED and other entities in initiating a 4-state collaborative effort known as the 4C Future Forum. Two forums were successfully executed in the last two consecutive years with participation from the 4-state regions: NW New Mexico, SW Colorado, NE Arizona, and SE Utah with representatives from the Navajo Nation, Ute Mountain Ute Tribe, Hopi Tribe, and Laguna Pueblo. Six priority areas have been identified through this process and action teams will be established in this next phase to address the first three priorities: Connectivity/IT Infrastructure; 4C Marketing, and Local Foods Initiative.

The City of Aztec supports this program because we believe it will benefit Aztec and the region to continue the efforts already initiated to promote the four corners region with regional economic diversity being a primary focus. We see tremendous opportunity in working with 4CED to expand and diversify the economy in the Four Corners Region. If you have questions or comments, please do not hesitate to contact us.

Sincerely,

Victor C. Snover
Mayor
City of Aztec, New Mexico

Staff Summary Report

MEETING DATE: April 9, 2019
AGENDA ITEM: XI. CONSENT AGENDA (D)
AGENDA TITLE: Resolution 2019-1126 Municipal Surplus

ACTION REQUESTED BY: Library and General Services
ACTION REQUESTED: Approval of Resolution 2019-1126 Municipal Surplus
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The General Services Department 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 Sections 3-54-2 and 13-6-1. Disposition of obsolete, worn-out or unusable tangible personal property.

PROCUREMENT

- N/A

FISCAL IMPACTS

- Revenues from sale of surplus items will be applied to General Fund / Joint Utility Fund

SUPPORT DOCUMENTS: Resolution 2019-1126
Surplus List

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1126 Declaring Certain Municipal Property Not Essential For Municipal Purpose and Directing It Be Sold or Disposed.

CITY OF AZTEC RESOLUTION 2019-1126

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 9th day of April 2019.

VICTOR C. SNOVER, MAYOR

ATTEST:

CITY CLERK KARLA SAYLER

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Everything you need to know about compulsive sexual behavior	Laura GilbertT
Eating disorder survivors tell their stories	Christina Chiu
What's real, what's ideal : overcoming a negative body image	Brangien Davis
Coping with self-mutilation : a helping book for teens who hurt themselves	Alicia Clarke
Mad cow disease : bovine spongiform encephalopathy	Tom Ridgway
Drug therapy and cognitive disorders	Sherry Bonnice and Carolyn Hoard
Migraine : take control of your health naturally	Ann Redfearn
Healing the addicted brain : the revolutionary, science-based alcoholism and addiction recovery program	Harold C. Urschel
The healing path : a soul approach to illness	Marc Ian Barasch
The truth about inhalants	
Overcoming bulimia nervosa and binge-eating : a self-help guide using cognitive behavioral techniques	Peter J. Cooper
How genetics and environment shape us : the destined body	William Hunter
The neti pot for better health	Warren Jefferson
Heal your heart with wine and chocolate and 99 other ways women can protect their hearts	Debora Yost, Sharonne Hayes
Everything you need to know to feel good	Candace B. Pert
The boy in the moon: a father's journey to understand his extraordinary son	
Stem cells for dummies	Lawrence S.B. Goldstein and Meg Schneider
Mystic healers & medicine shows : blazing trails to wellness in the Old West and beyond	Gene Fowler
Baby touch : massage & reflexology for babies and children	Wendy Kavanagh
Diet drugs	Hal Marcovitz
Emerging epidemics : the menace of new infections	Madeline Drexler
New choices in natural healing : over 1,800 of the best self-help remedies from the world of alternative medicine	Doug Dollemore
Talking back to prozac : what doctors won't tell you about today's most controversial drug	Peter R. Breggin and Ginger Ross Breggin
The emperor of all maladies: a biography of cancer	
An American plague : the true and terrifying story of the yellow fever epidemic of 1793	Jim Murphy
Broken glass : a family's journey through mental illness	Robert V. Hine

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Germ proof your kids : the complete guide to protecting (without overprotecting) your family from infections	Harley A. Rotbart
The whole life prostate book: everything that every man-at every age-needs to know about maintaining optimal prostate health	
AIDS/HIV	
The breast cancer companion : a guide for the newly diagnosed	Nancy Sokolowski, Valerie Rossi
Crohn's disease & ulcerative colitis : everything you need to know	Fred Saibil
Candida albicans : could yeast be your problem?	Leon Chaitow
Diseases and disabilities caused by weight problems : the overloaded body	Jean Ford
Managing multiple sclerosis naturally : a self-help guide to living with MS	Judy Graham
The first year-- hepatitis B : an essential guide for the newly diagnosed	William Finley Green
Against medical advice : a true story	James Patterson and Hal Friedman
Front of the class : how Tourette syndrome made me the teacher I never had	Brad Cohen
The game of my life : a true story of challenge, triumph, and growing up autistic	Jason "J-Mac" McElwain
Vibrational medicine : the #1 handbook of subtle-energy therapies	Richard Gerber
The encyclopedia of Bach flower therapy	Mechthild Scheffer
Flower essence repertory : a comprehensive guide to North American and English flower essences for emotional and spiritual well-being	Patricia Kaminski and Richard Katz
Livestrong : resource for cancer survivors : survivorship notebook /	Lance Armstrong Foundation
The hot zone	Richard Preston
The lost boy: a foster child's search for the love of a family	
A distance of ground : a western story	Fred Grove
Strange facts about the most used and abused drugs from alcohol to Ecstasy	Cynthia Kuhn
The Count of Monte Cristo	Alexandre Dumas
Dinosaur Santa	Bob Shea
Chilton book company repair & tune-up guide. Jeep, 1945 to 1987 : all U.S. and Canadian models of CJ-2A, CJ-3A, CJ-3B, CJ-5, CJ-6, CJ-7, Scrambler,	Wrangler Kerry A. Freeman
How to keep your Datsun/Nissan L-series, Z-series, alive : for 1968-1986, 510, 610, 710, 521, 620, 720, cars & trucks	Colin Messer
The Mayo Clinic breast cancer book	
Allergy free : and alternative medicine definitive guide	Konrad Kail and Bobbi Lawrence
The four loves	C.S. Lewis

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Women's bodies, women's wisdom : creating physical and emotional health and healing	Christiane Northrup
Coping with the dangers of tattooing, body piercing, and branding	Beth Wilkinson
Is it hot in here? Or is it me? : the complete guide to menopause	Pat Wingert and Barbara Kantrowitz
Arms wide open: a midwife's journey	
Eating for two : recipes for pregnant and breastfeeding women	Robin Lim
The Christian childbirth handbook	Jennifer Vanderlaan
Louder than words : a mother's journey in healing autism	Jenny McCarthy
The ADD answer : how to help your child now	Frank Lawlis
Exercise after pregnancy : how to look and feel your best	Helene Byrne
Clay : the history and evolution of humankind's relationship with Earth's most primal element	Suzanne Staubach
In the name of science : a history of secret programs, medical research, and human experimentation	Andrew Goliszek
The adaptive optics revolution : a history	Robert W. Duffner
U.S. national debate topic 2011-2012: American space exploration and development	
Electronic projects for the 21st century	John Iovine
Steve Jobs	
The renewable energy handbook : a guide to rural independence, off-grid and sustainable living	William H. Kemp
IWoz : computer geek to cult icon : how I invented the personal computer, co-founded Apple, and had fun doing it	Steve Wozniak with Gina Smith
My tank is fight	Zack Parsons
Wonders of nuclear fusion: creating an ultimate energy source	
Seize the sky: a builder's guide to model rocketry	
The down syndrome transition handbook : charting your child's course to adulthood	Jo Ann Simons
Chilton's guide to air conditioning repair and service	Richard J. Rivele
Traveling with your pet : the AAA petbook	
Fowl weather	
The road to Utopia : how Kinky, Tony, & I saved more animals than Noah	Nancy Parker-Simons
The weekend garden guide : work-saving ways to a beautiful backyard	Susan A. Roth
Sugar : a bittersweet history	Elizabeth Abbott
The vertical farm : feeding the world in the 21st century	Dickson Despommier
Corporate crops: biotechnology, agriculture, and the struggle for control	

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
In fire's way : a practical guide to life in the wildfire danger zone	Thomas J. Wolf
Suzy Bales' down-to-earth gardener : let nature guide you to success in your garden	Suzy Bales
Beautiful madness : one man's journey through other people's gardens	James Dodson
The complete book of edible landscaping	Rosalind Creasy
Gardening naturally : a guide to growing chemical-free flowers, vegetables, and herbs	Ann Reilly
Practical gardening	Peter McHoy
Growing Chinese vegetables in your own backyard : grow 40 vegetables and herbs in gardens and pots	Geri Harrington
Gardening in a small space	Lance Hattatt
P. Allen Smith's living in the garden home : connecting the seasons with containers, crafts, and celebrations	P. Allen Smith
Passionate gardening : good advice for challenging climates	Lauren Springer & Rob Proctor
Gardening weekends : strategies for the busy gardener	Olwen Woodier
Rodale's all-new encyclopedia of organic gardening : the indispensable resource for every gardener	Fern Marshall Bradley and Barbara W. Ellis
American grown: the story of the White House kitchen garden and gardens across America	
Trail of trees: one family's journey crisscrossing the USA planting trees and creating a living legacy	
Annuals : the gardener* s collection	
The glory of roses	Allen Lacy
The wildflower gardener's guide. California, Desert Southwest, and northern Mexico edition	Henry W. Art
Jerry Baker's flowering garden	Jerry Baker
Roses	Eleanore Lewis
Water-conserving gardens and landscapes : water-saving ideas, plant selection list, home drip irrigation guide, easy-care landscapes, all-region zone maps	John M. O'Keefe
Antique flowers : a guide to using old-fashioned species in contemporary gardens	Katherine Whiteside
How to grow fresh air : 50 houseplants that purify your home or office	B.C. Wolverton
The undaunted garden : planting for weather-resilient beauty	Lauren Springer
Jerry Baker's green grass magic : tips, tricks, and tonics for growing the toe-ticklinest turf in town!	Jerry Baker

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Livestock showman's handbook : a guide for raising animals for junior livestock shows	Roger Pond
Lawns and landscaping-- : 1,001 gardening questions answered Garden Way Publishing	
Gardeners guide to water gardens	
Terraforming : the creating of habitable worlds	Martin Beech
Space exploration. Primary sources	Peggy Saari
Space exploration: triumphs and tragedies	
Liftoff : the story of America's adventure in space	Michael Collins
Chilton's guide to diesel cars and trucks	James Joseph
Voyage to Mars : NASA's search for life beyond Earth	Laurence Bergreen
Magnificent desolation : the long journey home from the moon	Buzz Aldrin
The making of the atomic bomb	Richard Rhodes
The car and its future	Kaitlen Jay Exum and Lynn M. Messina
Balloon flying handbook	Federal Aviation Administration
Small-block Chevy marine performance : engine modifications for maximum boating performance	Dennis Moore
100 fast & easy boat improvements	Don Casey
The Harley-Davidson reader	Jean Davidson
Chilton's guide to brakes, steering, and suspension, 1980-87	senior editor, Richard J. Rivele
Barron's CDL commercial driver's license truck driver's test	Mike Byrnes and Associates, Inc
Barron's CDL commercial driver's license truck driver's test	Mike Byrnes and Associates, Inc
Carsmart : save hundreds on car repairs and avoid ripoffs	Ron Coleman
Chilton's Hyundai--Elantra, Excel, Scoupe, Sonata 1986-93 repair manual	Dean F. Morgantini
Chilton's easy car care	Kerry A. Freeman,
General Motors Chevrolet Lumina APV, Oldsmobile Silhouette, Pontiac Trans Sport automotive repair manual	J.J. Haynes and John H. Haynes
The Backyard builder's book of outdoor building projects	
National Geographic encyclopedia of space	Linda K. Glover
Gun digest 2011	Dan Shideler
Chilton's auto repair manual, 1940-1953	

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
The new basics cookbook	Julee Rosso & Sheila Lukins
Arthur Schwartz's Jewish home cooking	Ben Fink
Southern but lite	Avis and Ward Nutrition Associates
Weight Watchers favorite homestyle recipes	
Barefoot Contessa parties!	Ina Garten
Build your harvest kitchen	Keith Heberling
The woman's hands-on home repair guide	Lyn Herrick
A guide to raising llamas	Gale Birutta
Beagles	Eve Adamson
Making great cheese at home	Barbara Ciletti
The goldfish	Carlo De Vito with Gregory Skomal
Goat song: a seasonal life, a short history of herding, and the art of making cheese	
Cooking for a healthy heart	Virginia Defendorf
Flat belly diet! cookbook	Liz Vaccariello
Recipes for dairy-free living	Denise Jardine
The everything college cookbook	Rhonda Lauret Parkinson
The new Thanksgiving table	Diane Morgan
Butter busters	Pam Mycoskie
The Hamptons diet	Fred Pescatore
Good Housekeeping 100 best chicken recipes	
Cooked: a natural history of transformation	
Simply shellfish	Leslie Glover Pendleton
The backyard bartender	Nicole Aloni
Successful cold buffets	
Grill pan cooking	Elsa Petersen- schepele
Sizzling barbecue recipes	
The complete book of pastry, sweet and savory	Tom Stoerrle
Al forno	Maxine Clark
Cakes : delicious new low-fat recipes	Donna Deane & Minnie Bernardino

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Simply delicious recipes for diabetics	Christine Roberts, Jennifer McDonald, Margaret Cox
Steven Raichlen's high-flavor, low-fat cooking	Steven Raichlen
Sauces	James Peterson
Good Housekeeping : 100 best one-dish meals	
50 chowders	Jasper White
People's Pops: 55 recipes for ice pops, shave ice, and boozy pops from Brooklyn's coolest pop shop	
Complete guide to fishing.	Anders Walberg
The international spud	Mara Reid Rogers
The Perdue chicken cookbook	Mitzi Perdue
Oaxaca al gusto, an infinite gastronomy	
Raichlen's indoor! grilling	Steven Raichlen
The art of American Indian cooking	Yeffe Kimball and Jean Anderson
The complete book of Japanese cooking	Elisabeth Lambert Ortiz, with Mitsuko Endo
Polish cooking	
Betty Crocker's casual country cooking	
Down home with the Neelys	Patrick Neely and Gina Neely
5 a day : the better health cookbook	Elizabeth Pivonka, Barbara Berry
The berry bible	Janie Hibler
A home-baked Christmas: 56 delicious cookies, cakes & gifts from your kitchen	
Weight watchers slim ways : Mexican	
The healthy kitchen	Andrew Weil and Rosie Daley
The dinner doctor	Anne Byrn
Ainsley Harriott's meals in minutes	Ainsley Harriott
Jamie's food revolution	Jamie Oliver
Cooking from quilt country	Marcia Adams
The master your metabolism cookbook	Jillian Michaels
Simple food for the good life	Helen Nearing

**CITY OF AZTEC
RESOLUTION 2019-1126
April 9, 2019**

MUNICIPAL SURPLUS

LIBRARY SURPLUS	
TITLE	AUTHOR
Gifts of good taste	
Christmas with Paula Deen	Paula Deen
A country music Christmas	Edie Hand & Buddy Killen

GENERAL SERVICES DEPARTMENT SURPLUS

Department	Item/Model
GS	<div style="display: flex; align-items: center;">  <div style="flex-grow: 1;"> <p>Jiffy Model 5000 Walk behind paint striper</p> <p>Unit #: 017-003</p> <p>Acquisition Date: 1999</p> <p>Reason for Surplus: Replaced Condition: Poor</p> </div> </div>

Staff Summary Report

MEETING DATE: April 9, 2019
AGENDA ITEM: XI. CONSENT AGENDA (E)
AGENDA TITLE: 2020 Senior Center Funding Application

ACTION REQUESTED BY: Senior/Community Center, General Services Department
ACTION REQUESTED: Approval of 2020 Senior Center Funding Application
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- NM Aging and Long-Term Services Department (ALTSD) administers programs and services designed to meet the needs of older adults and adults living with disabilities.
- ALTSD held workshops throughout the state in January to advise local programs and providers of changes to the Capital Outlay request process.
 - Capital Outlay Requests are due to ALTSD no later than April 12, 2019
 - Requests should be supported with architect drawings, evaluations, quotes, etc. depending on the specific request(s).
 - Asset inventory and assessments are required documentation.
 - Program assessments are required documentation.
 - Funding request items must be included in ICIP
 - Applications are required to be approved by governing body.
- The FY20 Capital Outlay Request for the Aztec Senior Center, if recommended for funding by ALTSD, would be included for consideration during the 2020 legislative session for General Obligation Bond Capital Outlay. If approved by the legislature and governor, the project(s) would be included on the November 2020 ballot for voter approval. Funds would not be available until spring of 2021.
- General Services Department and Senior Center have identified the following for the 2020 application (all were included in the Senior Center ICIP approved by the City Commission in September 2018):

○ HVAC System Replacement	\$166,000
○ Flooring Replacement in Main Room	\$ 47,000
○ Kitchen and Serving Area Remodel	\$150,000
- Total amount of funding requested is \$363,000 based on estimates received in the past two weeks. For the application, the quotes have been increased to include 25% contingency, 10% annual inflation and tax. Professional services (architect) have also been included for the kitchen remodel project. Actual amounts expended which exceed the funds granted would be the responsibility of the City.
- The application included with the agenda is a draft. Senior center statistics are in the process of being compiled for inclusion in the application document. Final document will be available prior to the Tuesday, April 9, 2019, commission meeting.

PROCUREMENT / FISCAL IMPACTS

- Purchases will be made in accordance with state statute and city procurement policy.
- If funding is authorized, this project would be included in the FY21 Annual budget.

SUPPORT DOCUMENTS: 2020 ALTSD Capital Request

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Submittal of 2020 Senior Center Funding Application



DRAFT

2020

GENERAL OBLIGATION BOND CAPITAL OUTLAY REQUEST APPLICATION

The Aging and Long Term Services Department will consider applications to fund capital projects statewide in support of the agency programs and services designed to meet the needs of older adults and adults with disabilities as authorized under the Older Americans Act. Applications will be accepted for code compliance, renovations, meals equipment/other equipment, vehicles, new constructions/major additions, and plan and design projects.

Application Checklist

Required Capital Outlay Forms and Attachments:

- Applicant Contact Information, Executive Order Compliance and Certification Form
- Facility Information Form
- A-1: Code Compliance Project Request Form
- A-2: Renovation Project Request Form
- A-3: Meals Equipment/Other Equipment Project Request Form
- A-4: Vehicle Purchase Project Request Form
- A-5: New Construction/Major Addition Project Request Form
- A-6: Plan and Design Project Request Form
- Asset Management Meals Equipment Inventory Listing
- Asset Management Vehicle Inventory Listing
- Asset Management Facility/Fixture Inventory Listing
- Project Evaluation-Subject Matter Expert Certification
- Infrastructure Capital Improvement Plan (ICIP 2020-2024)
- Quotes and/or Cost Estimates for the Proposed Project(s)
- Schematic Designs (applicable to construction related projects)
- Operating and Use Agreement (applicable to non-profit providers)

DEADLINE: APRIL 12, 2019 5:00 PM

APPLICANT CONTACT INFORMATION

(Information of person to contact regarding content of the application.)

Name/Title:		
Facility:	(aka):	
Address:		
Phone:	Fax:	Email Address:

- Check here if the local government does not wish to submit a 2020 Capital Outlay Request Application for the facility, obtain the appropriate signature in Certification section below and submit to ALTSD.**

Executive Order 13-006 Requirement: - State agencies must determine whether a grantee has adequate accounting methods and procedures to expend state grant funds in accordance with applicable law and account for and safeguard grant funds and assets acquired by grant funds [EO ¶2(A)(3)(a)].

Applicant's annual audit current and filed with the state auditor's office. http://www.saonm.org <input type="checkbox"/> Yes, for FY _____ <input type="checkbox"/> No
Applicant's current fiscal operating budget has been approved by the DFA Budget and Finance Bureau of the Local Government Division. http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx <input type="checkbox"/> Yes Date: _____ <input type="checkbox"/> No
Applicant has submitted financial quarterly/monthly reports to the DFA Budget and Finance Bureau of the Local Government Division: http://www.nmdfa.state.nm.us/budget-financial-and-audit-status.aspx <input type="checkbox"/> Yes Date: _____ <input type="checkbox"/> No

Infrastructure Capital Improvement Plan - Local infrastructure capital improvement plan (ICIP) is a plan that establishes priorities for anticipated capital projects. The state-coordinated ICIP process encourages entities to plan for the development of capital improvements at a pace that sustains their activities. Is the proposed project a documented priority (1 through 5) on the most recently submitted Senior Facility ICIP?

- The current 2020-2024 ICIP Plan is attached.**

Certification

I, the undersigned chief official of the local government (municipality, county, tribal), certify that the attached application is supported by the governing body of the applicant and I have been authorized to file this application for assistance from the State of New Mexico. I further certify that the information contained herein is true and complete to the best of my knowledge and belief.

Chief Official Signature: _____ Date: _____

Print Name and Title: _____

FACILITY INFORMATION (Complete 1 form per Facility/Meal Site)

Facility _____ (aka) _____

Contact Name: _____ Phone: _____ Email: _____

Instructions – Describe the facility including ownership, current condition, age, documented repairs, services, and number of congregate meals and home delivered meals provided.

PART I: FACILITY DATA

1. Who owns the facility?

- City, County, Town, Village, Tribe, Nation, or Pueblo
- Privately Owned (For-Profit or Non-Profit) – If this box is selected, contact ALTSD staff.
NOTE: Private entities, including non-profits, must provide a copy of a lease, operating agreement, or user agreement to assure fair market value trade. Applications will not be considered without these documents.

2. If the applicant is a non-profit organization, is a license to use agreement (for equipment or vehicles) or operating agreement (for real property) in place?

- Yes; Copy of Agreement is provided.
- No; explain: _____
- Not applicable.

3. What is the age of the facility? _____

4. What sources of funding were used to construct or improve the facility within the past five (5) years?

Funding Source _____	Amount \$ _____	Date: _____
Funding Source _____	Amount \$ _____	Date: _____
Funding Source _____	Amount \$ _____	Date: _____

5. Current Condition – as described in the Asset Management: Facility/Fixture Inventory Listing.

- Outstanding – Facility is in excellent condition.
- Good – Facility has desirable and favorable conditions.
- Satisfactory – Facility is acceptable.
- Marginal -- Potential threat exists.
- Poor – Facility’s condition is not acceptable and poses a threat to the health and safety of clients; needs immediate attention.

6. How often is the Facility/Fixture Inventory Listing updated?

- Monthly Quarterly Annually
- Asset Management Facilities/Fixtures Inventory Listing is attached.
- No; explain: _____

7. What repairs/improvements have been made to the facility, and when?

- Roof Date: _____
- Structural Date: _____
- Floor Date: _____
- HVAC Date: _____
- Parking Lot Date: _____
- Other (describe): _____ Date: _____

PART II: USES

8. What is the size of the facility (in square feet)? _____
9. Is the facility sufficient in size? (15 square feet/person)? This determination must be based on the number of clients that use the facility on a daily basis.
- Yes.
 - No; Explain: _____
 - Participation has increased during the past year (percentage increase). _____
 - Do you have a waiting list for services? Yes; Service _____
 No
10. Is the location of the facility easily accessible to all those served?
- Yes.
 - No; Explain: _____
11. How close is the nearest senior center facility/meal site? (distance in miles) _____
12. If facility is a multipurpose/intergenerational center, identify the square footage allocated solely for senior services: Size of facility _____ sq. ft./Size of Senior Center _____ sq. ft.
Facility is used for a community center; however, senior services and activities have priority in the use of all areas of the facility.
13. What are the hours and days of operation?
Hours: _____ Days: _____

PART III: COST BENEFIT

14. How many seniors attend the facility daily? (average) _____
15. What services are provided at the facility and daily counts? (Check all that apply)
- | | | |
|--|--------------------|---|
| <input type="checkbox"/> Fitness/education activities | daily count: _____ | * Multiple platforms for outreach are utilized; |
| <input type="checkbox"/> Case management | daily count: _____ | however no count is available |
| <input type="checkbox"/> Information and assistance | daily count: _____ | |
| <input type="checkbox"/> Outreach/client finding | daily count: _____ | Facebook - updated periodically for events; |
| <input type="checkbox"/> Transportation | daily count: _____ | Web page - updated monthly; |
| <input type="checkbox"/> Congregate meals | daily count: _____ | Pamphlets & Brochures and word of mouth |
| <input type="checkbox"/> Home delivered meals | daily count: _____ | |
| <input type="checkbox"/> Other services; specify _____ | daily count: _____ | |
16. How many transportation services are provided daily and what types of vehicle are utilized?
- Client Transportation: # of Vehicles in Fleet _____ Miles/day _____ #of 4x4 Vehicles _____
 - Meal Delivery: # of Vehicles in Fleet _____ Miles/day _____ #of 4x4 Vehicles _____
 - Handicap-accessible: # of Vehicles in Fleet _____ Miles/day _____ #of 4x4 Vehicles _____
 - Other vehicle types: # _____ Describe: _____

PART IV: OPERATION AND MAINTENANCE

17. Does a local government provide operating staff?
- Yes (Hours per day): _____ # of employees _____ # of volunteers _____
 - No; Explain: _____

18. List all other sources of program funding and the status of each source.

- AAA-source: _____ \$ _____
- Local-source: _____ \$ _____
- In-Kind-source: _____ \$ _____
- Other-source: _____ \$ _____

19. What is the average monthly operational cost for the following expenses at this facility?

Who pays for these costs?

- | | | |
|---|---|---|
| <input type="checkbox"/> Gas \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> Electricity \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> Water \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> Refuse \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> Sewer \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> Maintenance \$ _____ | <input type="checkbox"/> Service Provider | <input type="checkbox"/> Local Government |

A-2 RENOVATION PROJECT REQUEST FORM (Complete 1 form per Facility/Site)

Facility: _____ **Project Title:** _____

Contact Name: _____ **Phone:** _____ **Email:** _____

Renovation Project – restoring a current facility to an earlier condition by repairing or remodeling for health and safety issues.

Project Summary

The project summary should be at least 50 words and must include the amount of funding being requested. Please give a general description of how the funds will be used.

Total Project Cost: \$ _____

Funds Committed: \$ _____

Amount of Request: \$ _____

Background

The background narrative section must provide the reviewer with an explanation of the problem that has created the need for the capital outlay funds that are being requested in this application. It should provide evidence that the problem exists as well as information on how the proposed project will contribute to a solution to the problem. Provide justification through local government documents or media publications discussing that the problem is a high priority and that the proposed solution is one that decision-makers support. It is important that the reader who reviews this application understands why your project should be funded over others.

1. Are additional funds committed for this project such as match, or leverage or received prior year funding (i.e. CDBG, NMDOT 5310 Program, NMFA, or TIF)?

- If yes; provide the following:
Source _____ Grant # (if applicable) _____
Amount \$ _____ Date Available: _____
- No; explain: _____
replacement and costs exceeding funding availability

2. Will plan and design be required for the proposed code compliance project?

- Yes; describe: _____
- Do you have a schematic design? If yes, provide it as an attachment to the application.
- No; explain: _____

3. Does the project address a health, safety, risk or hazard to the public that immediately endangers occupants of the facility?

- Tripping hazard, explain: _____
- ADA compliance issue, explain: _____
- Structural damage, explain: _____
- Sanitary issue, explain: _____
- Other, explain: _____

4. Describe how the proposed project will alleviate a risk or a health and safety issue?

5. Is corrective action urgent and unavoidable?

- Yes; explain: _____
- No; explain: _____

Project Description

The project description narrative must provide the reviewer a detailed step by step description of the project. This description should explain the goals of the project, how the goals will be achieved, the length of time required to complete the project, how successes will be measured, what improved services will be delivered as a result of the project, and to what population.

6. Is the project ready to proceed (i.e. the site is prepared, plans are complete, infrastructure is in place, the property or land has been secured)? Check all that apply.

- Yes; describe _____
- No; explain _____
- Do the requested funds complete a fully functional phase of the project? Yes No
Explain: _____
- Property secured; Right of way easements obtained on: _____(date)
- Plan/design completed by (name of contractor & date) : _____
- Construction plan and specs completed by (name of contractor & date): _____
- Vendor selected (name of vendor & date): _____
- Cost estimates/quotes are provided. Yes No
- Can the project be completed within 24 months? Yes No
- Other, describe: _____

7. After the completion of the project will you incur additional operating and maintenance costs?

- Yes; Explain _____
- No; Explain _____
service to public

8. Will there be cost savings?

- Yes; Explain _____
- No; Explain _____

9. Has an evaluation for the proposed project been documented by a subject matter expert to clearly establish the criticality of need for the project?

- Yes Date: _____ Project Evaluation is attached (required).
- No; explain: _____

10. During the evaluation, what findings and issues were identified by the subject matter expert?

11. Describe the outcome of not receiving this funding. Why is this funding necessary?

(Include the number of clients that will not get served or type of service that cannot be provided)

12. Project Budget

Using your Project Description narrative, provide a budget breakdown that outlines projected expenses. Also include information about when the requested funds will be spent to support each activity.

Expenditure Category	GOB Funds Requested	Funds From Other Sources	Total
Architectural & Engineering*			
Construction			
Equipment Purchase			
Delivery/install			
Totals			

**A&E Fees should not exceed 10-15% of the total construction budget.*

13. Describe the oversight process that would ensure timely construction and completion of the project. Provide information about the local government or other staff who will work on the project, include their experience and qualifications to perform the activities that will be funded.

(i.e. John Doe – Engineer - 12 years of experience; John Doe – Public Works Director – 12 years of experience)

14. Project Timeline – insert activities specific to the proposed project.

Project Timeline <i>(Insert milestones/activities specific to the proposed project.)</i>	Upon full execution of the Grant Agreement the following tasks will commence to meet the timeline/milestones. (i.e. Months 1 -2)	Oversight/Responsible Staff (i.e. Name, Title)
Advertise for Bids	Months	
Pre-Bid Meeting & Bid Opening	Months	
Bid Award to Contractor	Months	
Preconstruction Meeting and Notice to Proceed	Months	
Contract Administration	Months	
Substantial Completion	Months	
Certificate of Occupancy	Months	
Submit <u>Exhibit 1 – Monthly / Final Report Form & Request for Payment</u> according to contractual requirements as set forth in Articles Grant Agreement including	Months	

Attach Asset Management Facility/Fixture Inventory Listing

Staff Summary Report

MEETING DATE:	April 9, 2019
AGENDA ITEM:	XI. CONSENT AGENDA (F)
AGENDA TITLE:	RFP # 2017-608 Annual Financial Audit Contract for FY2019

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Approval of RFP #2017-608 Annual Audit Contract for FY2019
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

Acronyms Used:

RFP – Requ^est For Proposals

NM OSA – New Mexico Office of the State Auditor

- The recommendation for an annual audit contract for services is required to be submitted to OSA for approval by May 15, 2019.
- Although the City's cost for annual financial audit services is below the \$60,000 limit to require the formal RFP or bid, the State Audit rule (https://www.saonm.org/state_auditor_rule) encourages government entities to request proposals for audit services and enter into a multi-year agreement. A single firm (or same individuals associated with another firm) may perform audit services for six years consecutively before the City is required to change firms. Under New Mexico procurement, the maximum term for professional services is four years (based on total value of contract).
- RFP 2017-608 for audit services was awarded to RPC CPAs + Consultants LLP in April 2017. Audit costs for FY17, FY18 and FY19 were established in the RFP award.
- RPC CPAs + Consultants, LLP merged with accounting firm Carr, Riggs & Ingram, LLC in 2017 after the award of RFP 2017-608. As of March 28, 2019, Carr, Riggs & Ingram, LLC is an approved audit firm by the NM OSA.
- If the Commission approves continuing with Carr, Riggs & Ingram for the FY19 annual audit, the recommendation will be submitted to the NM OSA for approval. Upon approval, a contract will be generated for signatures (City and audit firm) and submitted to the OSA electronically.

PROCUREMENT / PURCHASING

- Five qualified proposals were received in response to RFP 2017-608. The evaluation committee independently reviewed and scored each proposal on the criteria established

in the RFP. The committee recommended RPC CPAs + Consultants LLP (aka Carr, Riggs & Ingram, LLC) be retained for annual audit services for the City.

FISCAL INPUT / FINANCE DEPARTMENT
--

- The FY20 Preliminary Budget includes:

General Fund Finance Department specific to FY19 annual audit: \$45,000.00 plus tax

- If the City Commission approves the 3rd year proposal for Carr, Riggs & Ingram, LLC to perform the FY2019 annual audit, the audit contract request will be submitted electronically to NM OSA for approval. Upon NM OSA approval, the contract will be signed a representative for Carr, Riggs & Ingram LLC and the Mayor (final contract will not be presented to City Commission for approval).

SUPPORT DOCUMENTS:

FY2019 Audit Contract Information

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve RFP #2017-608 Annual Audit Contract for FY2019 and authorize Mayor to sign Audit Contract upon approval by NM OSA.

! Information saved successfully

Please enter all contract information below. If not applicable, please put N/A in the field.

I. Agency Contact Information

Agency Type

Local Public Body (LPB) - Do Not Qualify For Tiered System

Name Of Agency

City of Aztec

Address Of Agency

201 W. Chaco

Phone # Of Agency

(505) 334-7653

Fax # Of Agency *Optional*

(505) 334-7649

City

Aztec

State

NM

Zip

87410-1915

Web Site Address *Optional*

www.aztecnm.gov

Agency Head Contact Information

Name Of Agency Head

Steve Mueller

Title Of Agency Head

City Manager

Email Address Of Agency Head

smueller@aztecnm.gov

Agency Contact Information

Name Of Agency Contact

Kathy Lamb

Title Of Agency Contact

Finance Director

Phone # Of Agency Contact

(505) 334-7653

Fax # Of Agency Contact *Optional*

Email Address Of Agency Contact

klamb@aztecnm.gov

Note: Please fill out e-mail address of contact person. All fully executed contracts will be sent via e-mail.

II. Recommended Independent Public Accountant (IPA) Information

As required by the Audit Rule, Section 2.2.2.8.E(3), an IPA subject to contract restriction is responsible for informing this agency whether it is eligible to engage in this proposed contract. By signing the signature page, I am verifying herein that the IPA has certified its eligibility to engage in this proposed contract

! Information saved successfully

Phone #

505-883-2727

Fax # *Optional*

505-884-6719

E-Mail Address

bmartinez@cricpa.com

III. Important Dates

For Which Fiscal Year (FY) Is This Recommendation Being Made:

2015

What Is Your Agency's Exact Fiscal Year End Date?:

06/30/2019

Estimated Audit Start Date

06/24/2019

Estimated Completion Date

12/09/2019

IV. Single Audit Requirement

Please check the box below that applies to your agency (a Single Audit should have been included in the procurement if the agency expended \$750,000 or more of federal funds):

- My agency procured an annual financial and compliance audit without a Single Audit.
- My agency procured an annual financial and compliance audit with a Single Audit.

V. Multi Year Certification

Please check the appropriate box below:

- This is a multi-year award.
- This is a one year procurement award for only the fiscal year indicated in Section III.

This request applies to the chosen year of a multi-year proposal:

- Year 1
- Year 2
- Year 3

VI. Fee and Hour Breakdown

Do not use commas - numbers only

Category	[Year 1] Hours	[Year 1] Cost	[Year 2] Hours	[Year 2] Cost	[Year 3] Hours	[Year 3] Cost
Financial Statement Audit	360	\$31,000.00	360	\$36,000.00	360	\$36,000.00
Financial Statement Preparation	50	\$5,000.00	50	\$5,000.00	50	\$5,000.00

! Information saved successfully

Federal Single Audit	40	\$4,000.00	40	\$4,000.00	40	\$4,000.00
Other allowed non-audit services		\$0.00		\$0.00		\$0.00
Component Units		\$0.00		\$0.00		\$0.00
Other		\$0.00	24	\$2,400.00		\$0.00
Gross Receipts Tax		\$3,000.00		\$3,732.75		\$3,543.75
TOTAL	450	[\$] 43,000.00	474	[\$] 51,132.75	450	[\$]48,543.75

For The Current Fiscal Year, Total Amount Payable Including Applicable Gross Receipts Tax, Shall Not Exceed:

\$48,543.75

Additional Information

Agency Contract Reference Number *Optional*

RFP 2017-608

Number Of Copies To Be Delivered By The Contractor To The Agency

1

Other Provisions *Optional*

This Contract is made effective as of the date of the signature of the Office of the State Auditor.

Agency

Name: _____

By: _____

Title: _____

Date: _____

Contractor

Name: _____

By: _____

Title: _____

Date: _____

This Contract has been approved by: Office of the State Auditor

By: _____

Title: Deputy State Auditor

 **Information saved successfully**

Staff Summary Report

MEETING DATE:	April 9, 2019
AGENDA ITEM:	X. CONSENT AGENDA (G)
AGENDA TITLE:	FY20 Municipal Fire Protection Fund Distribution Application

ACTION REQUESTED BY:	Kevin Simpson, Fire Chief
ACTION REQUESTED:	Approval of FY20 Municipal Fire Protection Fund Distribution Application
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

This application is required to participate in the distribution of the Municipal Fire Protection Fund for the 2020 fiscal year and is due to the State on or before April 30, 2019.

PROCUREMENT

N/A

FISCAL IMPACTS

This Municipal Fire Protection Fund is identified as the State Fire Fund in the City's financial structure. The funds distributed to the City are restricted in their use and provide for operations of the Fire Department as well as for capital purchases of fire equipment.

Preliminary Information provided by the State Fire Marshal office is the FY20 annual distribution is \$154,169.

SUPPORT DOCUMENTS:	FY2020 Municipal Fire Protection Fund Distribution Application
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DEPARTMENT'S RECOMMENDED MOTION:	Move to Approve the New Mexico State Fire Marshal's Office Fiscal Year 2020 Municipal Fire Protection Fund Distribution Application
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NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 CYNTHIA B. HALL
 DISTRICT 2 JEFFERSON L. BYRD
 DISTRICT 3 VALERIE ESPINOZA, VICE CHAIR
 DISTRICT 4 THERESA BECENTI-AGUILAR, CHAIR
 DISTRICT 5 STEPHEN FISCHMANN



P.O. Box 1269
 1120 Paseo de Peralta
 Santa Fe, NM 87504-1269

STATE FIRE MARSHAL DIVISION
Don Shainin, State Fire Marshal
 Phone (505) 476-0160
 Fax (505) 476-0100

INTERIM CHIEF OF STAFF
 Jason N. Montoya, P.E.

NEW MEXICO STATE FIRE MARSHAL DIVISION FISCAL YEAR 2020 MUNICIPAL FIRE PROTECTION FUND DISTRIBUTION

This application is required to participate in the distribution of the Fire Protection Fund for the 2020 fiscal year. The application is due in the State Fire Marshal Division **on or before April 30, 2019.**

FIRE DEPARTMENT Aztec

FIRE DEPARTMENT ADDRESS: 201 West Chaco, Aztec, NM 87410

ISO CLASSIFICATION: 4

Approved number of Sub Stations is 1

Station 3	2435 W. Aztec Blvd.	Aztec	NM	87410
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Approved number of Main Stations is 2

Station 2	800 Airport Drive	Aztec	NM	87410
-----------	-------------------	-------	----	-------

Same As Above				
---------------	--	--	--	--

If you contend the above ISO Class or station information is incorrect, please attach a list of your claim of main and substations and sign here: _____

The projected minimum amount for fire fund distribution, based on the above information, is **\$154,169**. This does not include any additional amounts that may be calculated from growth in the fund.

Provide current balance of the fire department's total Fire Protection Fund account to date: \$ \$305,288

10.25.10.9 ACCUMULATION OF FUNDS:

- A. FPF funds cannot be accumulated when the money is not required to accomplish the purpose of the Fire Protection Fund Act or any associated rules promulgated by the fire marshal.
- B. FPF funds may be rolled over to subsequent fiscal years for the purpose of accumulating money to procure items or services for use in the operation, maintenance and betterment of the fire department. A request for authorization to rollover and accumulate FPF funds shall accompany the application to participate in distribution. The request must include a detailed description of the intended use of the accumulated money.
- C. If the item to be purchased requires rollover and accumulation of FPF funds for more than one-year, only one request and subsequent authorization to accumulate funds is needed. If the item to be purchased changes, a new request for authorization to rollover and accumulate FPF funds shall be submitted to the fire marshal.

Provide anticipated rollover amount \$253,375 ; include a detailed description of the intended use of the accumulated funds: (attach additional page if needed) Accumulating funds for purchase of new fire truck and

training equipment
An official written request for authorization to rollover and accumulate Fire Protection Fund monies shall be submitted to this Office no later than August 31, 2019. The request shall identify the intended purpose and exact amount of money to be rolled over into the FY 2020 balance.

Staff Summary Report

MEETING DATE: April 9, 2019
AGENDA ITEM: IX. CONSENT (H)
AGENDA TITLE: Airport Maintenance Grant

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approval
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- Maintenance Grant
 - NMDOT Aviation Division provides funds for maintenance materials and supplies. The funding is now a two year agreement (previously an annual agreement) with a maximum available amount of \$20,000. The City is required to provide a 10% match for the funding.
 - This funding application includes weed control (chemicals only), paint for runway and apron markings and wind socks for a total funding request of \$8,817.

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

- Maintenance Grant
 - The FY19 Adopted Budget, Airport Fund, includes sufficient funds to meet the match requirement of the maintenance grant at the maximum funds available through the State.

SUPPORT DOCUMENTS: NM State Aviation Grant Application

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the submittal of Airport Maintenance Grant and authorize the City Manager to sign the funding agreement on behalf of the City.

EXHIBIT B

Annual airfield maintenance/ expendable materials			
	FY		
Airport		Aztec Municipal Airport	
Item	units requested	Unit Price	Total
	0	\$0.00	\$0.00
Wind sock, 18"	12	\$38.95	\$467.40
Wind sock, 24"	0	\$0.00	\$0.00
Wind sock, 36"	6	\$114.95	\$689.70
light fixture parts windsock	0	\$0.00	\$0.00
Runway lights, 45 watt	0	\$0.00	\$0.00
Runway Parts - Refractors	0	\$0.00	\$0.00
Runway Parts - Fuses	0	\$0.00	\$0.00
Runway Parts - Fuses	0	\$0.00	\$0.00
Light fixture - Sockets	0	\$0.00	\$0.00
Light fixture dome/lens (insert color)	0	\$0.00	\$0.00
threshold lights, 100 watt	0	\$0.00	\$0.00
Isolation xformers, XXX watt	0	\$0.00	\$0.00
Isolation xformers, XXX watt	0	\$0.00	\$0.00
PAPI lights	0	\$0.00	\$0.00
PAPI lights	0	\$0.00	\$0.00
PAPI parts - bulbs	0	\$0.00	\$0.00
PLASI lights, filters, parts (describe)	0	\$0.00	\$0.00
VASI lights	0	\$0.00	\$0.00
REIL lights	0	\$0.00	\$0.00
Approach lights	0	\$0.00	\$0.00
Guidance sign lights	0	\$0.00	\$0.00
Guidance sign spare parts (describe)	0	\$0.00	\$0.00
Frangible couplings	0	\$0.00	\$0.00
Primary cable connector kits	0	\$0.00	\$0.00
Fixture leads	0	\$0.00	\$0.00
Secondary connector kits	0	\$0.00	\$0.00
Heat shrink kits	0	\$0.00	\$0.00
Beacon bulbs	0	\$0.00	\$0.00
Beacon spare parts (describe)	0	\$0.00	\$0.00
Herbicide/Pesticide	2	\$3,500.00	\$7,000.00
Crack filling material	0	\$0.00	\$0.00
Pavement marking supplies	60	\$11.00	\$660.00
ASOS/AWOS maintenance (quarterly)	0	\$0.00	\$0.00
ASOS/AWOS maintenance (Annual)	0	\$0.00	\$0.00
Obstruction lights	0	\$0.00	\$0.00
Other - ARFF Chemguard	0	\$0.00	\$0.00
Other - Ansuk Purple K	0	\$0.00	\$0.00

Estimated cost	\$8,817
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Sponsor share	10%	\$882
Aviation Division share	90%	\$7,935

Staff Summary Report

MEETING DATE: April 09, 2019
AGENDA ITEM: XI. CONSENT AGENDA (I)
AGENDA TITLE: Resolution 2019-1127 USDA Grant Application

ACTION REQUESTED BY: Community Development Department
ACTION REQUESTED: Approve Resolution 2019-1127 USDA Grant Application
SUMMARY BY: Steven Saavedra – CFM

PROJECT DESCRIPTION / FACTS

- The USDA solicited applications for rural development grants and loans for the fiscal year 2020. This is an annual request for which the USDA has limited funds available.
- The USDA Rural Development Grant funds projects ranging of \$50,000 to \$500,000.
- The City applied to the United States Department of Agriculture rural development grant application on behalf of Mr. Michael Smith.
- The grant is to assist in the rehabilitation and remodel of property located at 204 N. Main Ave,(former Kiddie Kamp Day Care building); the remodel consist of commercial lease space on the first floor and residential dwelling units on the second floor of the building.
- This grant application did not require match funds from the City of Aztec.

FISCAL INPUT / FINANCE DEPARTMENT

No match funds from the City of Aztec where submitted on behalf of the application.

SUPPORT DOCUMENTS: Resolution 2019-1127

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1127
USDA Grant Application

CITY OF AZTEC
Resolution 2019-1127

**A Resolution Supporting An Application For Funding Through The
United States Department Of Agriculture (USDA) Rural Development
Grant For The Rehabilitation Of 204 N. Main Ave.**

WHEREAS, the City applied to the United States Department of Agriculture rural development grant on behalf of Mr. Michael Smith to assist in the rehabilitation and remodel of property located at 204 N. Main Ave, Aztec, NM 87410;

WHEREAS, if awarded Mr. Smith plans to reclaim the property and remodel the vacant building;

WHEREAS, the remodel consist of commercial lease space on the first floor and residential dwelling units on the second floor of the building;

WHEREAS, this project does not require a match from the City of Aztec;

NOW, THEREFORE, be it resolved by the Governing Body of the City of Aztec, New Mexico that the United States Department of Agriculture (USDA) is hereby assured that the City supports this project for rehabilitation of property located at 204 N. Main Ave, Aztec, NM 87410.

ADOPTED and APPROVED this 9th day of April 2019.

Victor Snover, Mayor

ATTEST:

Karla Sayler, CMC City Clerk

Staff Summary Report

MEETING DATE: April 9, 2019

AGENDA ITEM: XI. CONSENT AGENDA (J)

AGENDA TITLE: Resolution 2019-1128 BLM Water Pipeline Right of Way Application and Signatory Authority

ACTION REQUESTED BY: Finance Department

ACTION REQUESTED: Approval of Resolution 2019-1128 BLM Water Pipeline Right of Way Application and Signatory Authority

SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The East Aztec Arterial, phase 2, will be constructed across BLM lands. BLM requires right of way agreements for surface, underground and overhead infrastructure. The surface right of way for the roadway has been secured. The City must make separate applications for each of the utilities which may be installed.
- Current plans are to construct the waterline infrastructure concurrently with the roadway construction. Wastewater and electric infrastructure would be expanded in the future and will require additional right of way agreements.
- The application process requires governing body authorization to submit an application and identify signatory authority for the process on behalf of the City. The resolution assigns signatory authority to the City Manager.

PROCUREMENT / PURCHASING (if applicable)

- None

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

- BLM advises there may be fees associated with this right of way process. However, until the application is submitted and reviewed, the agency is unable to provide additional information.

SUPPORT DOCUMENTS: Resolution 2019-1128

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1128 BLM Water Pipeline Right of Way Application and Signatory Authority

CITY OF AZTEC
Resolution 2019-1128

A Resolution Authorizing Application to Bureau of Land Management for Water Pipeline Right of Way and Signatory Authority

WHEREAS, the City of Aztec is developing the East Aztec Arterial to provide traffic relief around the downtown area of Aztec connecting to US Highway 550 on the south side of Aztec, proceeding in an northeasterly direction to intersect with NM173; and

WHEREAS, the East Aztec Arterial will provide economic development opportunities benefiting the City, San Juan County and the State of New Mexico; and

WHEREAS, extending water pipeline infrastructure along the East Aztec Arterial will enhance economic development opportunities; and

NOW, THEREFORE, be it resolved, as follows:

1. Staff is instructed to pursue a waterline right of way with the Bureau of Land Management specific to the land previously leased to the City.
2. The City Manager is authorized to execute the application and any documents necessary to process the right of way to the City of Aztec.

ADOPTED and APPROVED this 9th day of April 2019.

Mayor Victor C. Snover

ATTEST:

City Clerk Karla Saylor

Staff Summary Report

MEETING DATE: April 9, 2019
AGENDA ITEM: XI. CONSENT AGENDA (K)
AGENDA TITLE: Resolution 2019-1129 Authorizing Closing of Time Certificates of Deposit for City

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approve Resolution 2019-1129 Authorizing Closing of Time Certificates of Deposit for City
SUMMARY BY: Kris Farmer

PROJECT DESCRIPTION / FACTS

- The banks and independent auditors have asked that formal action be taken to open and close investments.
- This resolution requests the closing of Time Certificate of Deposit 0235659727, in the amount of \$1,000,000.00, interest rate of 1.65% for 12 months, maturing April 24, 2019, at Citizens Bank, Aztec, New Mexico.

SUPPORT DOCUMENTS: Resolution 2019-1129

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1129 Authorizing Closing of Time Certificates of Deposit for City

**CITY OF AZTEC
RESOLUTION 2019-1129**

AUTHORIZING CLOSING OF TIME CERTIFICATES OF DEPOSIT FOR CITY

WHEREAS, the City Commission of the City of Aztec, New Mexico, is the authorized Board of Finance of said City of Aztec, and as such has control of the manner and method that monies belonging to the City shall be handled; and

WHEREAS, the City Commission of the City of Aztec, New Mexico, passed, approved and adopted Resolution 2018-1095 Authorizing signatures for city accounts on August 14, 2018 and identified approved depositories for city funds; and

WHEREAS, time certificate of deposit 0235659727, in the amount of \$1,000,000.00, interest rate of 1.65% for 12 months is expiring April 24 2019, at Citizens Bank, Aztec NM.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico, to close time certificate of deposit 0235659727 in the amount of \$1,000,000 at Citizens Bank, Aztec, New Mexico.

PASSED, APPROVED, SIGNED AND ADOPTED this 9th day of April 2019, by the Aztec City Commission, City of Aztec, New Mexico

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

Staff Summary Report

MEETING DATE:	April 09, 2019
AGENDA ITEM:	XI. CONSENT AGENDA (L)
AGENDA TITLE:	Resolution 2019-1130 Animas River Habitat Enhancement and Bank Stabilization Grant

ACTION REQUESTED BY:	Jeff Blackburn
ACTION REQUESTED:	Approval of Resolution 2019-1130 Animas River Habitat Enhancement and Bank Stabilization Grant
SUMMARY BY:	City Staff

PROJECT DESCRIPTION / FACTS

The project scope will focus on the Animas River in Rio de Animas Park, and in Riverside Park in Aztec. The site has been identified by the City of Aztec as a target for enhancing riparian habitat, establishing quality in-stream habitat, bank stabilization, and improved recreation access with the goal of a healthy, functional ecosystem along the Animas River that benefits natural and human uses alike.

Previous attempts to control the river in these parks with concrete block, car bodies, etc., have made the river unsafe in areas where we are inviting human use, as well as, creating ecological liabilities. These issues have been know by the City for some time, but were most apparent during the drought last year, when the Animas River was at its lowest level in quite some time.

The goal of the project is to provide a safe river corridor for waders, floaters, boaters and fisherman from Rio de Animas park to Townsend Property, and to preserve the bank along the river. This is our first step towards that goal. The project will also tie in with the Outdoor Recreation Industry Initiative and the North Main Expansion projects.

In Riverside Park where we have constructed a concrete walking path on south end of the park, our goal is to slow erosion which now threatens the integrity of the path. In Rio de Animas Park our goal is to remove "junk" near the current raft launch and make the area safer for river access. The project will also preserve mature cottonwoods along the bank, decrease invasive plant species, increase channel depth, and help preserve adjacent stream banks. In the process, the aquatic and riparian ecosystem will be improved.

Both phases will be coordinated with: the City of Aztec; San Juan Soil and Water Conservation District (SJSWCD); Basin Hydrology; and Cottonwood Consulting.

General Services/Parks Director Jeff Blackburn will serve as the Project Manager. SJSWCD, Field Representative, Kurt Imhoff will serve as the Assistant Project Director.

If funding is awarded, it is anticipated the project will be scheduled for fall of 2019.

PROCUREMENT

No procurement requirements specific to the funding application submittal. If funding is approved, there will be various levels of procurement to be completed in compliance with state statute and city policy.

FISCAL INPUT / FINANCE DEPARTMENT

The application includes a commitment of \$31,260 In-Kind match provided by the City of Aztec. These costs are included in the FY20 preliminary budget in the form of existing personnel and equipment costs.

SUPPORT DOCUMENTS:

- Resolution 2019-1130;
- River Stewardship Program Grant Proposal;
- Cost Response Form;
- Pictures of the Animas River along the banks in Riverside Park and Rio de Animas Park

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1130 Animas River Habitat Enhancement and Bank Stabilization Grant

Anima River Parks

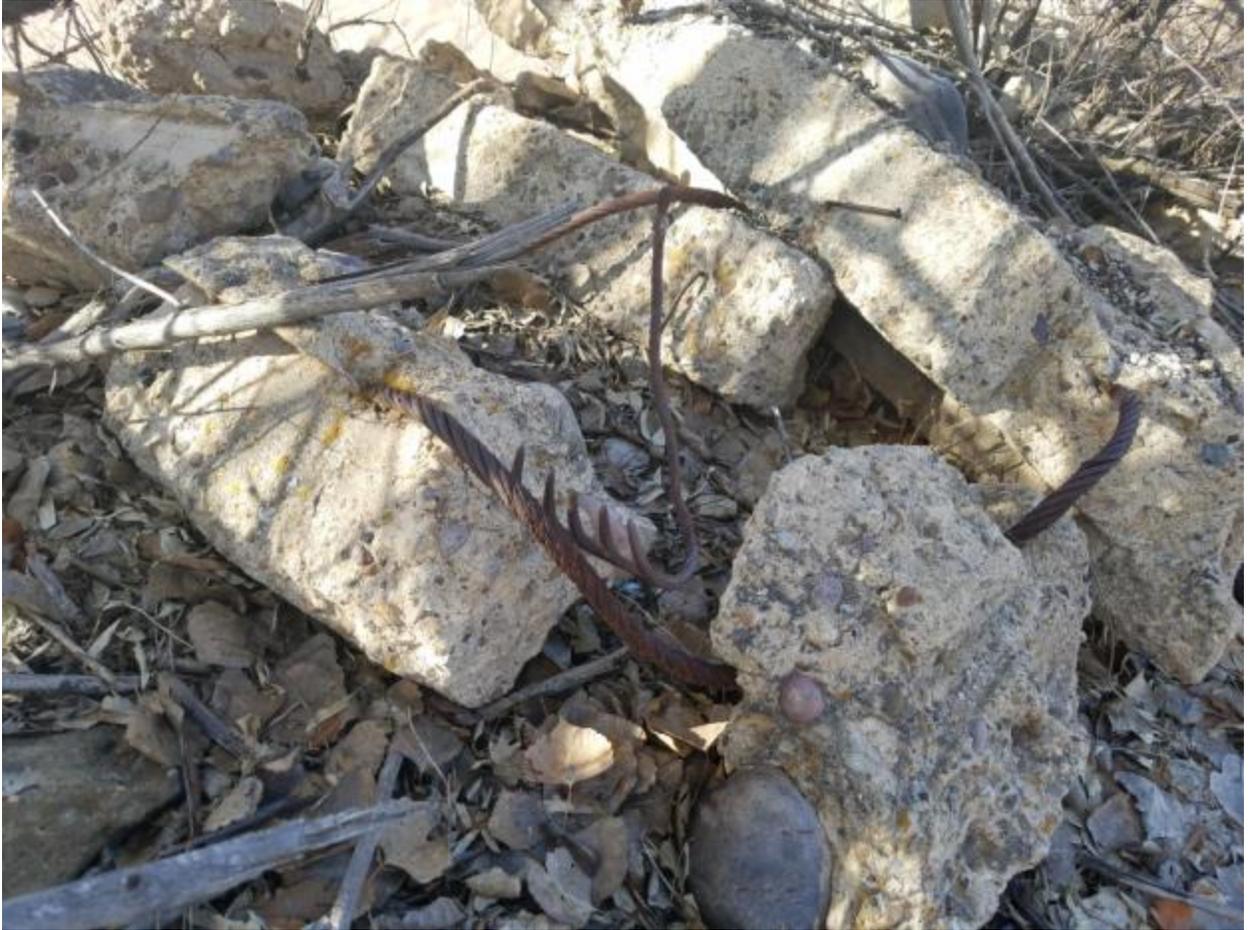
River Junk 2019



Rail from railroad track located in Riverside park



Car body and concrete slabs in Rio de Animas



Rake head imbedded in concrete debris Rio de Animas



Equipment tire imbedded in concrete weir Riverside Park

Animas River Habitat Enhancement and Bank Stabilization Project

2019 River Stewardship Program Grant Proposal



Prepared for:

New Mexico Environment Department
Surface Water Quality Bureau

Prepared by:

City of Aztec



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1. PROJECT AREA

This proposed work effort occurs within the incorporated boundaries of the City of Aztec, New Mexico on property owned and managed by the city. The project is composed of two geographically-distinct components within the city, with both components occurring along the Animas River within Sections 8 and 9, Township 30N, Range 11W. This corresponds to the Animas River Hydrologic Unit Codes (HUC) 140801041004 and 140801041005. The location of the two project components are immediately upstream and downstream of the HUC boundary.

The first project component, hereafter referred to as Rio de Animas, is located approximately 0.49 miles upstream of West Aztec Boulevard. Rio de Animas contains approximately 550 feet of river frontage on the project site. Adjacent property to the Rio de Animas project site is owned by private landowners and the National Park Service (Aztec Ruins National Monument). The corresponding HUC code is 140801041004. GIS coordinates are provided in Table 1, and maps of the project area are included in Appendix B.

Table 1: GIS coordinates for the Rio de las Animas project component.

NAD 1983 Coordinate System (Decimal deg)

Vertex	Latitude	Longitude
NW	36.83205	107.99589
NE	38.83219	107.99555
SW	36.83048	107.99606
SE	36.83047	107.99533

The second project component, hereafter referred to as Riverside, is located in Riverside Park, approximately 0.62 miles downstream of West Aztec Boulevard. Riverside contains approximately 650 feet of river frontage. The river bank opposite the project area is also owned by the city. The corresponding HUC code is 140801041005. GIS coordinates for the Riverside component are provided in Table 2, along with project area maps in Appendix B.

Table 2: GIS coordinates for the Riverside project component.

NAD 1983 Coordinate System (Decimal deg)

Vertex	Latitude	Longitude
NW	36.82146	108.00962
NE	36.82044	108.00785
SW	36.82048	108.00962
SE	36.81985	108.00850

1.1 PROJECT AREA SELECTION RATIONALE

The City of Aztec's long-term vision for the Animas River involves interconnected public parcels that promote streamside recreation, improve water quality, and enhance riparian plant communities, aquatic habitat, and ecologic function. This end goal is centered on the river being safe, accessible, and an example of functional riparian and aquatic habitat. The project components proposed in this application are the first step towards realizing this goal, and were carefully selected for this purpose. The rationale for these specific components' selection over others includes:

- **High likelihood of success.** The positive working relationships between – and prior experience of – the applicants, as well as the selection of project components that can stand alone until additional project components are built, increases the likelihood of project success in both the short and the long term.
- **Ecological impairment.** The banks of the Animas within the project are denuded of native vegetation, colonized by invasive plants, structurally failing, and contributing to water quality issues in the river. Restoration done here would provide significant improvement relative to expenditure.
- **Structural risk.** Erosive risk to existing infrastructure on city property necessitates action on a shorter timescale than at other potential project sites in the area.
- **Visibility and accessibility.** The project location experiences high usage by the public, and is easy to access for construction and monitoring relative to other potential project areas. The presence of a highly-visible, functional project in Aztec will facilitate community support for future riverside projects on private and public property.

2. PROBLEM STATEMENT

The project reach extends along the Animas River from Rio de Animas Park downstream to Riverside Park in Aztec, New Mexico. This site is part of both the ‘San Juan River to Estes Arroyo’ and ‘Estes Arroyo to Southern Ute Indian Tribe Boundary’ reaches of the Animas River Watershed, which have been identified as impaired (Categories 4A and 5/5B, respectively) on the Integrated §303(d)/ §305(b) List of Assessed Surface Waters (State of NM Water Quality Control Commission, 2016). The site has been identified by the City of Aztec as a target for enhancing riparian habitat, establishing quality in-stream habitat, bank stabilization, and improved recreation access with the goal of a healthy, functional ecosystem along the Animas River that benefits natural and human uses alike.

2.1 RESTORATION NEED ON THE ANIMAS RIVER

The Animas River, typical of semi-arid streams in the region, has historically exhibited a weakly-bimodal flow regime. In late spring, annual snowmelt runoff caused a high-flow event that would last for a period of days to weeks, mobilizing sediment and spilling onto adjacent floodplain surfaces. This regularly-occurring event was paired with the spatiotemporally-variable occurrences of monsoon rains, which would cause high-flow events during the summer months. While the duration and intensity of these two flow event types differed, they served similar functions – excess wood, sediment, and organic material were flushed; seeds were dispersed and established; and a variety of in-channel and riparian habitats were sustained, to the benefit of native flora and fauna.

With the onset of Euroamerican settlement in the region, land-use changes began to have consequences on riverine and floodplain function in the region. Regulation and diversion of in-stream water altered the timing, magnitude, and duration of floods in the Animas River. Appropriation of floodplains for residential and agricultural uses – often involving levee construction and draining/ditching practices – resulted in large scale separation of active channels from adjacent floodplains, wetlands, and off-channel features (Levick et al., 2008). Thirdly, altered surface runoff from development and agricultural practices forced hydrologic changes in the river itself. These effects forced

the Animas to adjust its morphology to the post-development flow and sediment regime (Zeedyk and Clothier, 2009).

The effects of this adjustment on water quality and habitat has been considerable. Channel narrowing and flow/sediment imbalances have greatly reduced habitat diversity of in-stream and riparian areas on the Animas. Furthermore, recruitment of native riparian species has suffered in the altered hydrologic regime, promoting the establishment and continued expansion of non-native invasive species (Shah et al., 2007). Over time, the Animas has narrowed, incised, disconnected from its floodplain, lost a high percentage of stabilizing riparian cover, and contributed ever-increasing sediment loads as adjustment goes on and banks continue to erode.

These issues will continue to worsen in the absence of treatment. Recruitment of native riparian plant species is practically nonexistent, and invasives such as Russian Olive (*Elaeagnus angustifolia*) are well-established. What cover exists is often eroded as the river adjusts its bed and banks to the new regime. Attempts to address bank erosion have actually exacerbated the problem - concrete blocks, erodible rock, and debris (e.g., car bodies) are failing, exposing banks denuded of vegetation and contributing large amounts of sediment. These bank features, as currently constructed, are ecological liabilities and dangerous for members of the public accessing the river. Existing bank stabilization measures have also had the effect of furthering channel constriction, which limits habitat diversity by promoting the development of a single-thread glide. As the banks continue to fail, water quality, riparian community composition, and public access and safety suffers with it. The various issues faced in the project area have long been known to public entities in the area, and were included in planning documents such as the Lower Animas River Watershed Based Plan (LAWBP, 2016).

2.2 PROJECT AREA BACKGROUND / PREVIOUS PROJECTS

At Rio de Animas park, the City has to date only undergone minor development, and has identified bank erosion, vegetation, and safety issues to address there. At present, the majority of the downstream-most 200 feet of the river bank is composed of concrete, metal, and debris, which is failing and contributing debris to the river. The metal, concrete, and debris in this bank also serves as a river user hazard. Vegetation along this bank is a mixture of mature cottonwood and Russian Olive. The City's long-term goal for Rio de Animas is the restoration and stabilization of this bank, along with the establishment of a boat ramp and river access here. Given that it is the furthest upstream parcel owned by the City on the Animas River, the goal is to provide a safe put-in site for floaters, boaters, and fishermen.

Similar conditions prevail at Riverside park. Within the project area, the city has already established a concrete walking path that parallels the river-right bank. At present, this path is imperiled in several locations by the rapidly-eroding bank, part of which is composed of failing rock structures and rock gabions (Appendix C). Mature cottonwoods along this project component are also at risk due to the ongoing erosion. Riparian vegetation is almost completely absent, but heavily consists of Russian Olive. In the past, the City has conducted Russian Olive removal to address non-native expansion in the reach, but little native planting occurred during this process and there remains much Russian Olive to treat.

At both project components, the channel and adjacent streambanks would benefit from well-planned, geomorphically-viable stabilization efforts that include (rather than preclude) native plant establishment. In the process, aquatic and riparian ecosystem function could be drastically improved, while improving water quality and rendering the area safe for users. This would ultimately serve the City's interests in improving this park for the benefit of citizens and wildlife alike.

Photos of the project area are located in Appendix C.

3. PLANNING / PERMITTING

3.1 PLANNING DOCUMENTS

The issues and proposed improvements behind this project are outlined in the San Juan Soil and Water Conservation District's Lower Animas River Watershed Based Plan (LAWBP, 2016). Additional documents aligning with the access, habitat, and water quality improvements proposed here are:

- New Mexico's Non-Native Phreatophyte/Watershed Management Plan
- The Comprehensive Wildlife Conservation Strategy for New Mexico
- The New Mexico State Water Plan
- The State of New Mexico's Clean Water Act Section 303(d)/Section 305(b) Integrated Report
- San Juan Basin Community Wildfire Protection Plan

Additional information on the alignment between this proposed work and the planning materials listed above may be found in Appendix D.

3.2 PERMITS, CLEARANCES, AND SURVEYS REQUIRED

The following permits, clearances, and surveys will be required to implement this project:

- **Biological Evaluation.** An assessment to confirm the presence or absence of state and federally-listed species under the Endangered Species Act. Though voluntary, this process would help avoid future litigation or interruption of the project.
- **In-Stream Construction.** US Army Corps of Engineers (USACE) permits under Section 404 (discharge of fill material) will be obtained from the New Mexico Environmental Department (NMED) and USACE. Initial conversation with the USACE Durango Regulatory Office has occurred.

4. PROJECT GOALS, METHODS, AND IMPLEMENTATION

4.1 PROJECT GOALS

The goals and component objectives of this effort are as follows:

Goal 1) Stabilize eroding banks to protect infrastructure and improve water quality

Objective 1a: Remove failing stabilization and armoring material. Rock, metal, and debris will be transferred off-site to a safe and legal dumping area by the City of Aztec.

Objective 1b: Construct bank stabilization/erosion control structures in a manner that redirects flow and dissipates energy along eroding banks and adjacent infrastructure. Photo documentation and monitoring of the stabilization structures will be conducted to ascertain project success.

Goal 2) Enhance riparian and aquatic habitat within the project area

Objective 2a: Remove noxious weeds and woody plants from the project area using mechanical and/or herbicidal methods. Measure pre- and post-treatment coverage of riparian plant species using greenline transects.

Objective 2b: Improve coverage and density of native riparian plant species through seeding and transplant efforts on newly-shaped banks and other appropriate surfaces. Protect newly-planted vegetation with fencing, and measure pre- and post-project coverage through greenline transects. Monitor post-project survivorship (%) after a period of 1 year.

Goal 3) Improve accessibility and safety of riparian and riverine areas to the public

Objective 3a: Remove dangerous materials such as metal, concrete, and debris from in-stream and riparian sections of the project area. A pre-project survey of hazardous material will be conducted, and project construction will include the removal and disposal of identified hazardous material. A post-construction survey will be conducted to ensure that all hazardous materials were removed.

Objective 3b: In concert with bank stabilization structures, step-down terraces of rock will be installed that allow public access and recreation along the river, while allowing for the habitat, bank stabilization, and water quality aspects of constructed banks to continue functioning.

4.2 PROJECT METHODS

To achieve Goal 1, the following methods will be employed. To address failing bank stabilization measures, the existing rock, rock gabions, concrete, metal, and other debris will be mechanically removed from the bank. Banks will be sloped back and/or armored with rock, according to geomorphic position and site-specific processes ongoing at the two project component sites. Additionally, rock structures will be constructed to deflect in-channel flow and promote scour and side-channel pocket habitat. These structures are likely to be J-hooks, but the location and specific design elements of these structures will need to be determined as part of the design process. Construction will be performed using heavy mechanical equipment and operators with experience working in rivers on restoration projects. The newly-stabilized banks will be planted with seed and woody transplants to further stabilize the site. Seeding will also occur on adjacent bank areas that did not require mechanical stabilization, where suitable. Further information regarding native plantings is discussed in the methods section for Goal 2.

To achieve Goal 2, noxious weeds and woody vegetation will be removed from the project site's riparian areas using mechanical and/or herbicidal methods, according to the position, age class, and the species that is being removed. The removal of these plants will aid in the establishment of currently outcompeted natives, and promote ecosystem resiliency in the project area. The primary targeted noxious species in this project area is Russian Olive (*Elaeagnus angustifolia*), though other invasives will be treated as encountered, as able. The native plants seeded along the newly-stabilized banks will be composed of a variety of grasses, forbs, shrubs, and trees, including Coyote willow (*Salix exigua*), and Narrowleaf cottonwood (*Populus angustifolia*). Cuttings, transplants, and seed will be dispersed in a way to diversity native plant

cover and age classes. The revegetation achieved will provide a variety of cover types to be utilized by native fauna and enjoyed by river and riparian area users.

To achieve Goal 3, the process of removing failed stabilization measures will include a general removal of hazardous debris from the project area. At present, the banks are steep, eroding, and contain numerous materials that present a risk for bodily injury for members of the general public. This includes metal rebar, car parts, broken concrete, and other materials that present a risk of bodily harm to users in the river or along the banks. As construction of stabilization measures occurs, additional debris that is encountered in the river will be removed. All harmful material that is removed will be disposed of at the landfill. The process of bank stabilization will include stepped rock structures that allow for easy, safe access to the water by river users – this will be a greatly improved situation compared to the existing site conditions.

4.3 PROJECT IMPLEMENTATION

The table below lists tasks, responsible parties, and deliverable timelines as they correspond to this effort.

Table 3: Tasks and objective implementation strategy.

Task	Responsible Party	Deliverable Timeline
Administration, preparation of progress reports, invoicing, coordination, meetings, etc.	COA / SJSWCD	Semi-annual progress reports; regular submission of invoices
Preparation and submission of 404 permit request to USACE	BH	Summer 2019
Conduct biological survey and submit report	CC	Summer 2019
Monitoring of pre- and post-project site conditions	SJSWCD / BH	Pre-Fall 2019 to Post-Fall 2020
Manage construction of bank stabilization structures	BH	Continuous
Design & Implementation of Project Objectives		
1a: Remove failing bank stabilization material	COA	Fall 2019
1b: Construct bank stabilization/erosion control structures	BH and Construction subcontractor	Fall 2019 or Spring 2020
2a: Remove noxious vegetation species	SJSWCD	Fall 2019
2b: Plant/seed native vegetation species	SJSWCD / BH	Spring 2020
3a: Remove hazardous materials from project site	Project Manager	Fall 2019 to Spring 2020

3b: Enhance access to riparian and river areas	BH and Construction Subcontractor	Fall 2019 or Spring 2020
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*BH: Basin Hydrology; CC: Cottonwood Consulting; USACE: U.S. Army Corps of Engineers; COA: City of Aztec

5. MEASURES OF SUCCESS

The goals of this effort, with associated objectives that will be implemented to accomplish these goals, are as follows:

Goal 1) Stabilize eroding banks to protect infrastructure and improve water quality

Indicators of project success for Goal 1 will be as follows:

- Photo documentation of existing bank conditions and subsequent documentation of stabilization and erosion control structures from time of construction completion to the end of 2020.

Goal 2) Enhance riparian and aquatic habitat within the project area

Indicators of project success for Goal 2 will be as follows:

- Achieve $\geq 75\%$ mortality of noxious plants treated with mechanical and/or herbicidal method. Pre- and post-project survey will be used to ascertain the success of non-native removal actions.
- Achieve $\geq 75\%$ survival of native transplants to the project area. Document the approximate percentage of seeded native grasses that successfully establish using photo points.

Goal 3) Improve accessibility and safety of riparian and riverine areas to the public

Indicators of project success for Goal 3 will be as follows:

- Removal of $\geq 90\%$ of hazardous debris identified in pre-construction surveys of the channel and riparian areas of the project site.
- Pre- and post-project photo point monitoring to assess the condition of public access to the river along the bank within the project area.

6. STAKEHOLDER SUPPORT

The City of Aztec is committed to the overarching process of enhancing riparian/aquatic habitat, improving safety and public access, and addressing water quality issues throughout the Animas River's reach within city limits – an effort that both predates and will outlast this proposed project. The city is set to commit up to \$31,620 of in-kind contribution to the construction and maintenance of this project, which includes personnel hours, fuel, and equipment usage to assist in project construction and maintenance. This value represents just over 20% of the entire project cost.

In addition, the San Juan Soil and Water Conservation District is committed to water quality and habitat improvements in the project area, which featured prominently in the Lower Animas River Watershed Based Plan (2016). Efforts by the San Juan Soil and Water Conservation District to address noxious weeds, riparian health issues, in-channel habitat, and water quality are well-documented and will aid in ensuring the lasting quality of this and future projects undertaken by the City of Aztec.

7. MAJOR PARTICIPATING ORGANIZATIONS AND KEY PERSONS

7.1 MAJOR PARTICIPATING ORGANIZATIONS

A list of major participating organizations and their respective roles can be seen in Table 4.

Table 4: Major participating organizational list.

Organization	Role
Primary	
City of Aztec (COA)	Project Manager/Fiscal Agent/Coordinator/Landowner. Will conduct basic management, fiscal and progress reporting, and invoicing. Will support monitoring and construction efforts.
Subcontractors	
San Juan Soil and Water Conservation District (SJSWCD)	Assistant Project Manager/Coordinator. Will support the City of Aztec with fiscal and progress reporting, invoicing, and monitoring efforts. Will support BH with construction and design efforts.

Basin Hydrology (BH)	Design Specialist. Will be responsible for design support, construction oversight, data preparation. Will assist with report preparation, permit coverage.
Cottonwood Consulting (CC)	Compliance Specialist. Will be responsible for conducting and reporting cultural resource and biological surveys, as applicable.

7.2 KEY PERSONS AND COORDINATION, ROLES, AND RESPONSIBILITIES

City of Aztec (Prime/Landowner): **Jeff Blackburn**, General Services/Parks Director for the City of Aztec, will serve as the **Project Manager** and will have ultimate responsibility for completing work plan objectives and conducting project oversight for this work plan. The Project Manager will be responsible for coordinating with the NMED project officer, preparing quarterly and final reports to NMED, contract management, and construction and monitoring support for subcontractors.

San Juan Soil and Water Conservation District (Subcontractor): **Kurt Imhoff** will serve as the **Assistant Project Manager**. Kurt has a B.S. in Environmental Science from Oregon State University and a M.S. in Geoscience from the University of Montana. Mr. Imhoff has fashioned a career in both the consulting and nonprofit facets of river restoration in the western United States. Kurt specializes in sediment transport and erosion issues, from planning to design to project construction. Mr. Imhoff will be assisting the City of Aztec with project management, fiscal accounting and invoicing, and reporting. Kurt will additionally be involved in the monitoring process and provide field support to Basin Hydrology and Cottonwood Consulting as needed.

Basin Hydrology (Subcontractor): **Mark Oliver**, owner, Basin Hydrology, Inc., will serve as the **Design Specialist**. Mr. Oliver will be responsible for the design, coordination, and construction oversight of the proposed project. This includes selection and management of a subcontractor for in-stream construction. He will also be responsible for acquiring U.S. Army Corps of Engineers permits for in-stream construction.

Cottonwood Consulting (Subcontractor): Cottonwood Consulting, LLC, will provide compliance assistance to the City of Aztec for successful completion of this project.

Hannah Ertl, the **Compliance Specialist**, will managed the cultural resource survey for the project.

8. RELEVANT PROJECT TEAM EXPERIENCE

Team members involved in this proposal have overseen the successful implementation of similar projects over recent years. This includes projects with similar management issues and site characteristics, including:

- Lower Animas River Watershed Based Plan Implementation Projects (Phase I): From 2017-2019, the SJSWCD and Basin Hydrology were involved in the planning, design, and construction of bank stabilization measures in Flora Vista at the Ranchmans-Terrell Ditch Diversion. This project is ongoing, but the installation of stream structures has already had an effect in reducing bank erosion and promoting scour in the active channel, to the benefit of the ditch managers and aquatic wildlife.
- Cedar River “Riverbend” Levee Setback and Floodplain Restoration Project: Prior to working for the SJSWCD, Mr. Imhoff was worked on various river and riparian restoration projects in the Pacific Northwest and Northern Rockies. One such project was a complex restoration project in Renton, WA. In a city-owned park in a heavily developed area, Kurt designed a levee setback effort that included bank stabilization, native plant establishment, and a focus on habitat enhancement, public access, and water quality.

9. BUSINESS STATUS

The City of Aztec is an incorporated government entity.

Appendix A: References and Resources

- Levick, L., J. Fonseca, D. Goodrich, M. Hernandez, D. Semmens, J. Stromberg, R. Leidy, M. Scianni, D. P. Guertin, M. Tluczek, and W. Kepner. 2008. The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in the Arid and Semi-arid American Southwest. U.S. Environmental Protection Agency and USDA/ARS Southwest Watershed Research Center, EPA/600/R-08/134, ARS/233046, 116 pp.
- Lower Animas River Watershed Based Plan. 2016. San Juan Soil and Water Conservation District. In cooperation with the San Juan Watershed Group and Mountain Studies Institute.
- Shah, J.F., C.N. Dahm, S.P. Gloss, and E.S. Bernhardt. 2007. River and Riparian Restoration in the southwest: Results of the National River Restoration Science Synthesis Project. *Restoration Ecology*, 15:3, pp 550-562.
- State of New Mexico Water Quality Control Commission. 2016. Final 2016-2018 State of New Mexico Clean Water Act Section 303(d)/Section 305(b) Integrated Report. Available at: <https://www.env.nm.gov/swqb/303d-305b/2016-2018/documents/EPA-APPROVED2016APPA--IntegratedList.pdf>
- Zeedyk, W. D. and V. Clothier. 2009. Let the Water Do the Work: Induced Meandering, and Evolving Method for Restoring Incised Channels. Quivira Coalition. Santa Fe, New Mexico

COST RESPONSE FORM

BUDGET CATEGORIES	RSP FUNDS	OTHER FUNDING SOURCE	TOTAL
Personnel			
Project Manager (COA): Project management, reporting. In-kind match. 300 hrs @ \$77/hr		\$23,100.00	\$23,100.00
Travel			
Biological survey mileage: 80 miles RT @ \$0.43/mile for 1 vehicle and 2 trips	\$68.80		\$68.80
BH survey, design, and construction mileage: 80 miles RT @ \$0.43/mile for 1 vehicle and 18 trips	\$619.20		\$619.20
Supplies			
Seeds and transplants	\$855.00		\$855.00
Rocks for in-stream bank stabilization: 995 tons @ \$52/ton	\$51,740.00		\$51,740.00
Rock transport to project site: 36 loads @ \$500/load	\$18,000.00		\$18,000.00
Contractual			
Basin Hydrology (BH): Design, permitting, survey, coordination, and construction oversight 190 hours @ \$90/hr	\$17,100.00		\$17,100.00
Cottonwood Consulting (CC): Biological evaluation survey and report.	\$1,000.00		\$1,000.00
Construction Contractor(s): In-stream and bank structures. Includes mobilization and equipment delivery. 120 hours @ \$200/hr	\$30,000.00		\$30,000.00
San Juan SWCD (SJSWCD): Project management assistance and support 120 hours @ \$60/hr	\$5,850.00		\$5,850.00
City of Aztec Parks Department: Donated time and equipment to remove debris and failing rock and dispose at a landfill		\$8,520.00	\$8,520.00
PROJECT TOTAL	\$125,233.00	\$31,620.00	\$156,853.00

**CITY OF AZTEC
Resolution 2019-1130**

A Resolution Supporting An Application For Funding Through The River Stewardship Program Grant for the Animas River Habitat Enhancement and Bank Stabilization Project

WHEREAS, the City applied to the New Mexico Environment Department Surface Water Quality Bureau for the Animas River Habitat Enhancement and Bank Stabilization Project.

WHEREAS, we intend to remove dangerous materials such as metal, concrete, and debris from in-stream and riparian sections of the project area.

WHEREAS, we intend to use bank stabilization structures, and step-down terraces of rock that allow public access and recreation along the river, while allowing for the habitat, bank stabilization, and water quality aspects of constructed banks to continue functioning.

WHEREAS, We intend to add more features to our North Main Expansion project, and Riverside Park, and further our commitment to the Outdoor Recreation Industry Initiative.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico supports this project for The River Stewardship Program Grant for the Animas River Habitat Enhancement and Bank Stabilization

ADOPTED and APPROVED this 9th day of April 2019.

Victor Snover, Mayor

ATTEST:

Karla Sayler, CMC City Clerk

Staff Summary Report

MEETING DATE: April 9, 2019

AGENDA ITEM: XIII. BUSINESS ITEMS (A)

AGENDA TITLE: Intent To Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6. Municipal Judge

ACTION REQUESTED BY: City Manager / Aztec Municipal Judge

ACTION REQUESTED: Approve Intent To Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6. Municipal Judge

SUMMARY BY: Aztec Municipal Judge / City Staff

PROJECT DESCRIPTION / FACTS

Judge Carlton Gray met with City Commission at a workshop on March 26, 2019 to provide City Commission with information on salaries from several municipalities across New Mexico.

Compensation for the Aztec Municipal Judge is established by City Code (Sec. 2-166) and is currently set at \$35,000 annually. The annual salary has not been reexamined since 2003. The Municipal Judge receives benefits established by City Code (Sec. 2-167) including paid vacation, sick leave and holiday pay as provided in the personnel policy as adopted by the City Commission.

By NM State Statute, a municipal Judge's salary can only be adjusted based on the Judge's election cycle. Therefore any change in compensation for the municipal judge will not take effect until after the 2020 Municipal Election and swearing into office.

The Aztec Municipal judge and City Manager are requesting annual compensation for the Municipal Judge be established by City Code at a fifty percent (50%) of the State Magistrate's salary. A change to Aztec City code would ensure that the Municipal Judge's salary would be examined and adjusted every election cycle. A Magistrate Judge's salary is established based on the NM judicial annual budget submitted by the Chief Justice of the NM Supreme Court.

FISCAL IMPACTS

This will have a fiscal impact to the budget after the next municipal election and subsequent fiscal years.

SUPPORT DOCUMENTS: Ordinance 2019-490

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Intent To Adopt Ordinance 2019-490 Amending Chapter 2, Administration, Division 6. Municipal Judge

CITY OF AZTEC
Ordinance 2019-490
Amending Chapter 2 - Administration, Division 6. Municipal Judge

WHEREAS, It has been since 2003 since the Municipal Judge's annual salary has been adjusted; and

WHEREAS, the current Municipal Judge has been reviewing City Code in terms of municipal judge duties and compensation; and

WHEREAS, any change in the compensation for the municipal judge position would occur upon the service of the position after the next municipal election;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico, that Ordinance 2019-490 amends Chapter 2 Administration, Division 6 Municipal Judge of the City Code as provided and approved.

PASSED, APPROVED AND SIGNED this _____ day of _____ 2019.

Mayor Victor C. Snover

ATTEST:

Karla Sayler, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

**Chapter 2
ADMINISTRATION**

ARTICLE III. OFFICERS AND EMPLOYEES

DIVISION 6. MUNICIPAL JUDGE

Sec. 2-161. Election.

The municipal judge shall be elected as provided by law. A vacancy in the office of municipal judge shall be filled in the manner provided by law (NMSA 1978, §35-14-4).

(Code 2007, 2-161)

Sec. 2-162. Qualifications.

The municipal judge shall be a registered, qualified elector and citizen of the city.

(Code 2007, 2-162)

Sec. 2-163. Bond and Oath.

The municipal judge shall, before entering the duties of office, if no corporate surety bond covering all municipal officials exists, obtain a surety bond to the City in an amount to be established by City Commission, conditioned upon the faithful performance of duties and the paying over to the city of all fines, forfeited bonds and other money which comes into hand by virtue of the office. The premium of the bond shall be paid by the city. The municipal judge shall take the oath of office as required in NMSA 1978, §3-10-2.

(Ord. 2010-382, eff. 2010-Jun-30; Code 2007, 2-163)

Sec. 2-164. Annual Training.

The municipal judge shall have the training as required in NMSA 1978, §3-14-10.

(Code 2007, 2-164)

Sec. 2-165. Temporary Vacancy and Appointments.

Two or more alternate judges shall be selected from a list of qualified electors (as defined by NMSA 1978 § 3-1-2). The elected municipal judge, prior to the vacation, temporary absence, unavailability or incapacity, shall select at least one designee from the alternates set forth above to serve as temporary municipal judge, to exercise all powers of the municipal judge until the return of the municipal judge. In the event that the elected municipal judge is unable to select an alternate judge to fill in their absence, the mayor shall select an alternate municipal judge. The selection of an alternate municipal judge shall be as follows:

1. The Municipal Court staff shall publish a notice in the local newspaper, utility bills, or other means for the solicitation of qualified candidates to submit a letter of interest to serve as Alternate Municipal Judge.
2. All letters of interested will be submitted to the City Clerk to verify their status as a qualified elector within the corporate City limits. Copies of those letters from qualified electors shall be given to the Municipal Judge and City Commission for review.

3. The Municipal Judge shall review all letters of interest from qualified electors and make a recommendation to the City Commission for the alternate municipal judge position(s). The recommendation will be in the form of a list of qualified candidates.
4. The term for the alternate judge(s) coincides with the current term of the municipal judge.
5. At a regularly scheduled Commission Meeting, the City Commission shall approve who serves in the position(s) as alternate municipal judge.
(Ord. 2010-379, eff. 2010-Feb-17; Ord. 2009-377, eff. 2009-Oct-21; Code 2007, 2-165)

Sec. 2-166. Duties Generally; Compensation.

1. In addition to those duties set forth in the laws of the state, the municipal judge shall be present at the court a minimum of thirty-two (32) hours per week and up to a maximum of forty (40) hours per week and shall hold court a minimum of twenty-four (24) hours per week, holidays excluded, and may conduct marriage ceremonies. The municipal judge shall be available at all reasonable hours for the issuance of warrants and summons and as necessary to accommodate the public and may provide night court to accommodate the public. The municipal judge shall be paid the annual sum of ~~thirty five thousand (\$35,000)~~ **fifty percent (50%) of the State Magistrate Judges' annual salary** and shall take the same oath as is now required of magistrates in the state.
(Ord. 2011-396, eff. 2011-Jun-22; Ord. 2010-390, eff. 2010-Aug-18; Code 2007, 2-166)
2. In the absence of the municipal judge, the alternate judge will work as designated by the municipal judge and will receive compensation from funds allocated in the municipal judge's salary except in the cases of disqualification or required absences (mandatory judges training sessions) in which the city will compensate the alternate judge at a rate of pay fixed by the municipal judge with the approval of the City Commission.
(Code 2007, 2-166)

Sec. 2-167. Employee Benefits.

Benefits for the municipal judge will include ~~paid vacation, sick leave and holiday pay~~ **the benefits of a full-time city employee** as provided in the personnel policy as adopted by the City Commission, ~~with the exception of leave benefits.~~ -(Code 2007, 2-167)

Sec. 2-168. Personnel.

The municipal court judge may participate in the hiring, supervising, and compensating employees of the municipal court, and shall have the sole power, subject to the grievance procedure of the city's personnel policy, to terminate employees of the municipal court. In all other respects that do not conflict with the powers of the judge, the court employees shall fall within the provisions of the city's personnel policy.
(Ord. 2010-382, eff. 2010-Jun-30; Code 2007, 2-168)

Sec. 2-169. Records.

The municipal judge shall keep, or cause to be kept, a record of every traffic complaint, uniform traffic citation and other form of traffic charge filed in his court and every official action and disposition of the charge by his court. Within ten (10) days after disposition of every charge of violating the traffic code of the city, the municipal judge shall, upon forms furnished by the Commissioner of motor vehicles, prepare, certify as correct and forward to the state department of motor vehicles an abstract of the record. A report need not be made of any conviction

involving illegal parking or standing of a vehicle, except when a uniform traffic citation is issued. When the uniform traffic citation is issued, the form of the abstract on the back of the officer's first copy containing the above information shall be used. The failure or refusal of the municipal judge to comply with the provisions of this section is misconduct in office and grounds for removal.

(Code 2007, 2-169)

Secs. 2-170 to 2-180 Reserved.