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Cover and article photos courtesy of Karla Hunt, Library Director, Village of Fort Sumner
ACCREDITATION CHANGES THE LANDSCAPE OF NEW MEXICO CITIES AND COUNTIES

Recently I had the opportunity to have dinner with our Accreditation Manager, Scott Chambers and a five member team that would be assessing one of our participants in the Detention Facilities Accreditation Program. After a tentative start with introductions, we all relaxed and conversation began to flow about how they were going to proceed with their assignments over the next three days. While none of this team had worked together before, some had worked with each other on other teams in the past. The members were from different parts of the state, but knew of each other. I was amazed at the level of expertise each brought to the team and how well they meshed as a team. Talk flowed about how this assessment was going to be a little more complicated because of the size of the facility, but at no time did I get the feeling they weren’t up to the job. In fact they talked about their roles and how important this program was. Their passion about their work was so evident, it was impossible not to be drawn into the discussion. It was impossible not to feel their sense of purpose and commitment. With dinner over and the hotel van on its way the Team thanked us for a great dinner and discussion. They needed to get back because they had an early start for a long three days of assessing and helping their colleagues to a successful accreditation.

After they left, I sat for a while and thought about what I just was privileged to be a part of. The State Accreditation movement in New Mexico began over a decade ago. It started as a collaboration between the Municipal Police Chiefs Association and the New Mexico Municipal League, with the Chiefs providing law enforcement expertise as the Standards Council and the League providing the administrative arm. The Law Enforcement Accreditation Program (LEAP) led the way to the creation of the Local Government Accreditation Programs (LGAP). Adding Sheriffs to the LEAP was the next step. That was the beginning of a significant partnership with the New Mexico Association of Counties. That partnership led to the creation of the Adult Detention Facilities Accreditation Program. With the movement in full swing Emergency Communications Centers came next. Then the Adult Misdemeanor Compliance Program and now the addition of the Fire Service. All tolled, there are 30 agencies accredited and 12 more enrolled in the process. These accredited agencies are in every part of New Mexico.

What does that mean for our cities and the State? In accredited agencies all over New Mexico police officers are keeping us safe using the best professional standards available. It means your E-911 calls are being answered and help is being dispatched by teams of professionals on call 24/7. It means our accredited jails are being operated with the best practices and policies in place. It means that our Fire Service is developing accreditation standards for operating their fire and emergency response systems. To use an over-worked saying, they are going to be the best they can be. It means better cities, better counties, a better New Mexico.

There’s a lesson in this for all of us. The best way to provide public services for our communities is to step-up and roll up our sleeves and go to work. That’s what these cities, counties, and agencies have done, from the hard work done by the accredited agencies, to the assessment teams and accreditation staff all working together to deliver quality service all over New Mexico. Accreditation works and can work for you! Call the League and find out how to start the accreditation process.

“"It was impossible not to feel their sense of purpose and commitment"
SALE, EXCHANGE AND GIFTS OF PERSONAL PROPERTY

By: Randy Van Vleck, General Counsel
New Mexico Municipal League

Last month I wrote about the sale or lease of municipal property. This month I want to talk about the sale, exchange or gifting of items of tangible personal property.

There are two methods of disposing of items of tangible personal property belonging to a municipality. Section 13-6-1 provides for a complicated method. The governing body must first designate a committee consisting of at least 3 members of the governing body to approve and oversee the disposal of the property. Although it is not exactly clear, it seems that the committee must recommend the disposal of the property to the full governing body which must make a finding that that the item(s) of tangible personal property have a resale value of $5,000 or less AND are worn out, unusable or obsolete to the extent that the item(s) are no longer economical or safe for continued use by the body. Secondly, the governing body must give notice at least 30 days prior to deleting the property from the municipality’s inventory by sending a copy of its findings and proposed disposition to the state auditor and to the local government division of the department of finance and administration. The findings of the governing body must be duly sworn and subscribed under oath by each member of the authority approving the action.

The governing body may then dispose of the property by the following methods:

▪ negotiated sale to any governmental unit of an Indian nation, tribe or pueblo in New Mexico
▪ negotiated sale or donation to other state agencies, local public bodies, school districts, state educational institutions or municipalities,
▪ through the central purchasing office of the municipality by means of competitive sealed bid or public auction.

If the municipality is unable to dispose of the tangible personal property by these options, the municipality may sell 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. Finally, if the municipality is unable to dispose of the tangible personal property by any of the methods described above, it may order that the property be destroyed or otherwise permanently disposed of in accordance with applicable laws.

One important limitation on
the ability to dispose of tangible personal property is that no tangible personal property shall be donated to an employee or relative of an employee of the municipality; but nothing prevents an employee from participating and bidding for public property at a public auction.

As you can see, this is a complicated method of disposing of property. Thankfully, municipalities may also look to section 3-54-2 for additional authority to sell, exchange or donate personal property. If the property has a value of $2500 or less, the municipality may sell the personal property for cash at public or private sale without notice.

The municipality may also sell personal property having a value of more than two thousand five hundred dollars ($2,500) at public or private sale. A private sale may be held, but only after public notice is given. The notice must be published at least twice, in accordance with the notice provision contained in Section 3-1-2.J NMSA 1978. The publications may not be not less than seven days apart, with the last publication not less than fourteen days prior to the sale.

The municipality may sell the property at a public sale as well. In that case, the terms and conditions for a proposed sale or lease shall be published at least twice, in accordance with the notice provision contained in Section 3-1-2.J NMSA 1978. The publications may not be not less than seven days apart, with the last publication not less than fourteen days prior to the sale. If a public sale is held, the bid of the highest responsible bidder shall be accepted unless the terms of the bid do not meet the published terms and conditions of the municipality. If no bids meet the published terms and conditions, the highest bid that does meet the published terms and conditions shall be accepted, or the municipality may reject all bids.

For inter-governmental transfers, a municipality may sell, at a private or public sale; may exchange; or may donate real or personal property to the state, to any of its political subdivisions or to the federal government if such sale, exchange or gift is in the best interests of the public and is approved by the local government division of the department of finance and administration.

As a final comment, it must be noted that the “streamlined” method outlined in 3-54-2 is expressly intended to afford another and additional method of disposing of property and is not to be construed as repealing or qualifying any other statutory authorization granted a municipality to dispose of or exchange real or personal municipal property. See: NMSA 1978 Section 3-54-3.
FORT SUMNER

By Karla Hunt, Library Director
Village of Fort Sumner

Fort Sumner is celebrating 100 years of incorporation this year with an extraordinary twist. The village was originally part of Guadalupe County, and incorporated as a municipal entity in 1916. Unfortunately, corporate charter or other record of incorporation were lost due to a flood as well as a fire at the Guadalupe County Courthouse; and local copies are believed to have been inadvertently discarded in the 1960s.

On April 26th, 2016 in the year of Fort Sumner’s centennial celebration the Village obtained a “Declaratory Judgment” which will serve as record evidence of the corporate status of the village, that will have the same evidentiary significance as a certificate of incorporation and/or corporate charter designating the Village of Fort Sumner as a municipal corporation.

The village slogan is “A Sleepy Little Village with a Shady Little Past . . .” But don’t be misled, Fort Sumner is anything but “Sleepy”.

Fort Sumner was named after New Mexico military governor Edwin Vose Sumner and began as a military fort charged with internment of Native Americans at the Bosque Redondo reservation from 1863-1868. The establishment of Bosque Redondo Memorial in Fort Sumner’s valley solemnly remembers the past and celebrates the future of the Navajo and Mescalero Apache. Fort Sumner is a small and friendly village located in southeastern New Mexico along the Pecos River. There are no stop lights or issues with rush hour traffic, with an atmosphere rich in traditional values and history that locals as well as tourist come to enjoy. WPA murals can be viewed at De Baca County’s courthouse. Works Progress Administration (renamed in 1939 as the Works Projects Administration; WPA) was the largest and most ambitious American New Deal agency, that employed millions of unemployed people to carry out public works projects, including the construction of public buildings and roads. Other local WPA projects include rock walls at the entrance of the cemetery and another bordering the north side of the school.

“Old Fort Days” is an annual celebration featuring “The World’s Richest Tombstone Race”, (symbolic of the numerous times Billy the Kid’s headstone has been stolen and recovered) with a purse totaling over $5,000.00, craft fair, rodeos and western dance. Billy the Kid Museum has been in operation by the Sweet family since 1953, a third generation business offering people from all walks of life the pleasure of stepping back in time while viewing items connected with Billy the Kid along with 60,000 other old relics.

Fred’s Restaurant, home to an historical antique bar provides local flavor of New Mexican food, and is one of 63 restaurants featured

Continue on page 8
Continued from page 7

on the “New Mexico’s Green Chile Cheeseburger Trail” using handpicked chilies, roasted and peeled every harvest. Lake Sumner State Park, Bosque Redondo Slough and the Pecos River offer fishing, camping and water sports, and open range land for hunting wildlife such as deer, antelope, pheasant, wild turkey and quail.

Farming and ranching is the primary economic basis and gross receipt tax for the village depends in large upon travelers using highways 60/84. Fort Sumner’s tourism is primarily comprised of fans from around the world that continue to visit the grave of the legendary outlaw Billy the Kid, shot in 1881 by Sheriff Pat Garrett and buried in the old military cemetery of Fort Sumner’s valley.

Several construction projects this past year have contributed to a boost in GRT as well. The horizon just west of Fort Sumner has slightly changed due to Burlington Northern Santa Fe Railway’s recent completion of the last leg of a double-track project between Fort Sumner and Vaughan. A second railway bridge now runs alongside Fort Sumner’s historical Black Bridge crossing the Pecos River.

Senior citizens are anxiously awaiting the construction of a much needed new Senior Center funded by a Community Development Block Grant. The current building is 60+ years old and structurally inadequate for the number of citizens, activities and services offered. The new facility will be located at the corner of 1st Street and Avenue A.

Community businesses and services that contribute to Fort Sumner’s economy include medical and dental facility; emergency 24/7 fire and ambulance services; law enforcement 24/7; senior center with transportation services; local weekly newspaper; drive-thru banking; public school K-12; grocery store; lumber
yard; feed store; meat processing plant; abstract and title companies; mechanics and parts store; oil change; tire store; motels and restaurants; beauty shops; coffee shop; public library; municipal swimming pool; bowling alley; music store; gift shops; and a drug store with an old fashioned soda fountain.

Recent sightings of strange objects in the sky throughout the state might very well have been one of several weather balloons launched by NASA's high-altitude balloon program from Fort Sumner's Municipal Airport. Safety risk associated with stratospheric turnaround flights going toward Houston, Texas and other populated areas to the south became unacceptable by NASA. Since March of 1986, NASA has conducted balloon test flights from the Fort Sumner Municipal Airport during the spring and fall seasons. The airbase was also used during World War II by the United States Air Force as a glider flight training base. The airport is currently one of the "best small airports in the country", with two paved runways, one up to 5,900 feet in length, and a security fencing that is surrounded by wide open space. The Industrial Park consists of 300 acres perfect for companies looking for a location for development or growth of aviation related or other businesses. The village is currently constructing additional hangars for small planes.

Fort Sumner's rural lifestyle provides a low crime rate that creates a safe environment for raising a family and low cost of living for those on a fixed income. Next time you're passing through Fort Sumner we invite you to stop and experience for yourself our sense of community and small-town hospitality.
Sometimes it just takes a fresh perspective — and expertise in lean manufacturing — to help a respected manufacturer streamline productivity and increase profitability.

The owners of Rader Awning & Upholstery Inc. requested that type of feedback when their 70-year-old company, New Mexico’s leading supplier of quality custom awnings and shades, faced challenges satisfying growing demand.

The company asked New Mexico Manufacturing Extension Partnership (MEP) to evaluate its operations and offer ideas for improvement. And the rewards of the collaboration were tangible: Productivity improved by 20 percent per salesperson, production defects decreased by 15 percent and installation corrections dropped by 25 percent.

It Starts With Success

Rader Awning & Upholstering, Inc. was founded in 1947 by the Rader family of Albuquerque and later expanded to Santa Fe. Chris and Johanne Kosak purchased the business around 1969, and Dan Mowery and Johanne Kosak took over operations in 1974. Dan Mowery continues to run the business with his daughter Jill Mowery Litt.

Over time, the demand for Rader Awning’s products and services outgrew the original processes the company followed to fill orders.

Employees didn’t have a system for processing the high volume of orders they received each month, especially when demand surged from spring through fall. When the production team received a large batch of orders that weren’t ranked by priority, it often completed the easier ones first and left the difficult, time-consuming jobs for last. This created a deadline crunch that led to rushed jobs and occasional mistakes in production and installation.

Furthermore, instructions and specifications were communicated in complex ways to employees who were skilled in assembly, fitting and sewing but were not fluent in written English. Misunderstandings sometimes caused delays and mistakes.

Constructive Deconstruction

New Mexico MEP had previously worked with Rader Awning to teach the production team lean techniques and improve the organization of materials and supplies in the company’s different departments. The latest project addressed how information flowed from sales to product installation.

For two days, MEP worked with employees from each department to create an administrative “value stream map” that identified each step involved in ordering, creating and installing a product and assessed the purpose of each step to determine if it was essential. By deconstructing and evaluating established procedures, the team developed an action plan to improve efficiency.

Rather than spending 30 minutes with an order adding highlighted notes that were overlooked, misunderstood or misinterpreted, for example, sales employees started conveying information to the production
team with pictures and illustrations and freed their own schedules to process other orders and obtain new business.

Orders now go to the materials department sooner, reducing last-minute shipping costs, and new visual tools help employees determine at a glance how long a job will take and when it is due so projects can be organized accordingly.

“New Mexico MEP helped us implement practical ways to prioritize orders for production and provide information in a visual manner,” said co-owner Jill Mowery-Litt. “This helps us reduce the chaos and confusion and create a team that knows exactly what they need to build and when they need to build it.”

Rader Awning is one of dozens of successful New Mexico manufacturers that are hosting public tours of their facilities during this year’s state celebration of Manufacturing Day. For more information about New Mexico MEP and Mfg Day events taking place during the entire month of October, visit http://newmexicomep.org/mfgday. To learn more about Rader Awning, visit www.raderawning.com.
2017 LEGISLATIVE PRIORITIES

The New Mexico Municipal League Board of Directors has prioritized the following 2016-2017 Resolutions and Statement of Municipal Policy for the 2017 Legislative Session beginning in January.

1. Protect Municipal Tax Base and Revenues
   - **State and Local Tax Reform** – supports creation of a Study Group to develop a tax reform plan for the State of New Mexico and have representation from the New Mexico Municipal League and the New Mexico Association of Counties in order to give input on state and local tax reform.  (Resolution 2016-18)
   - **Business Registration Fee** – strengthen the Business Registrations for the purpose of protecting the state and local tax base by insuring that businesses in a municipality have a Combined Reporting System Identification Number.  (Resolution 2016-20)
   - **Impairment of Bonds** - the Legislature should not take any action to impair municipal bonds.  (Statement of Municipal Policy – Section 3.4.04)
   - **Municipal Libraries** - State aid to public libraries should be established and appropriated at an amount at least equal to the national average to ensure continued service to all New Mexico citizens.  (Statement of Municipal Policy – Section 1.3.04 and Resolution 2016-34)

2. **Whistleblower Protection Act** – amend the Whistleblower Protection Act to limit violations and limit the applicability of the Act.  (Resolution 2016-8)

3. **Law Enforcement** – support the following issues affecting Law Enforcement:  the Sex Offender Registration and Notification Act (Resolution 2016-25); Mental Health legislation to provide funding and statutory support for mental health resources (Resolution 2016-28); and, Domestic Violence Offenses (Resolution 2016-32)

4. **Jurisdiction of Police Officers** – seek legislation to extend territorial jurisdiction of municipal police officers.  (Resolution 2016-31)

RESOLUTION 2016-18
CONCERNING STATE AND LOCAL TAX REFORM

**Whereas**, the advent of the internet has dramatically changed the way people shop and pay for goods and services; and

**Whereas**, the growth of the use of the internet for shopping and paying for goods and services has outpaced the growth of shopping and paying for goods and services in brick and mortar local businesses; and

**Whereas**, use of the internet for shopping and paying for goods and services has resulted in decreasing state and local tax revenues because Gross Receipts Tax Laws need to be updated to provide a mechanism for collection of the Gross Receipts Tax on internet sales and payments; and

**Whereas**, the New Mexico Municipal League is aware of various proposals for tax reform in the state; and

**Whereas**, the New Mexico Municipal League is generally supportive of state and local tax reform that will result in increased revenues for both state and local governments.

**Now, Therefore, Be It Resolved** that the New Mexico Municipal League supports creation of a Study Group to develop a tax reform plan for the State of New Mexico; and

**Be It Further Resolved** that the study group have representation from the New Mexico Municipal League and the New Mexico Association of Counties in order to give input on state and local tax reform.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 FIRT Committee Priority: **HIGH**
RESOLUTION 2016-20
CONCERNING THE BUSINESS REGISTRATION FEE AS AUTHORIZED
BY SECTION 3-38-3, NMSA, 1978

Whereas, Section 3-38-3, NMSA, 1978 authorizes a municipality, by ordinance, to impose a Business Registration Fee of up to $35.00 annually on each place of business within the municipality; and

Whereas, Section 3-38-4, NMSA, 1978 provides for the business registration by ordinance and allows such fee to be prorated for the remainder of the calendar year the business is to be operated and to renew such business registration annually; and

Whereas, Section 3-38-5, NMSA, 1978 provides that a municipality may charge $10 annually for a late fee which does not incentivize some businesses to comply by registering annually; and

Whereas, municipalities welcome the opportunity to support new and renewed business activity and to ensure that services are available and provided at the business location; and

Whereas, municipalities desire to prevent improper conduct, zoning and occupancy that may occur at the designated location that would negatively impact the health and welfare of surrounding businesses and property owners; and

Whereas, municipalities also issue Business Registrations for the purpose of protecting the state and local tax base by insuring that businesses in a municipality have a Combined Reporting System Identification Number; and

Whereas, some business owners choose not to register their businesses and operate out of compliance with State Law and local ordinances causing the municipality to take appropriate action through enforcement activities as provided for in 3-38-5 NMSA, 1978; and

Whereas, the costs incurred by municipalities to process, verify and enforce business registrations greatly exceed $35.00 annually and the business registration fee has not been increased since 1988; and

Whereas, municipalities desire to impose a fee of up to $100 annually and to, by ordinance establish fee categories based on services provided by the municipality; and

Whereas, enforcement provisions in state statues need to be strengthened to provide that a municipality not issue a business registration for conduct of commercial activity to any person whose records reflect any unresolved noncompliance with the businesses registration provisions or any other municipal ordinance or regulations; and

Whereas, a municipality should have the ability to take appropriate legal action against any business being conducted in violation of state law or local ordinance and to prevent the conduct of business or to restrain, correct or abate a violation, including for non-payment of the business registration fee for issuance or renewal by the deadline date; and

Whereas, a municipality should have the power to, by certified mail, order the appearance of the business owner before the Municipal Clerk within 30 days from date of notice, to show cause why the municipalities should not initiate legal proceedings.

Now, Therefore, Be It Resolved that the New Mexico Municipal League support legislation to provide for a Business Registration Fee of up to $100.00 per year and to strengthen the enforcement penalties for those businesses in non-compliance including a late fee not to exceed $100.00 annually.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 FIRT Committee Priority: MEDIUM
RESOLUTION 2016-34
CONCERNING STATE GRANTS FOR LIBRARIES

Whereas, New Mexico public libraries provide books and other materials to meet the informational, educational, cultural and recreational needs of all New Mexicans; and

Whereas, the effectiveness of a library is determined by its ability to deliver current, accurate information in a timely manner through books and materials answering community needs; and

Whereas, advances in technology have made information resources increasingly accessible electronically; and

Whereas, the demand for library resources continues to rise while the cost of providing the resources is beyond local funding capacity; and

Whereas, publicly funded libraries have increased their effectiveness by sharing their resources electronically, enabling public, school and college libraries to coordinate the use of scarce library funds within the community and statewide; and

Whereas, a proposal will be presented to the 2017 New Mexico Legislature to increase the appropriation from the general fund to the library division of the cultural affairs department to provide grants-in-aid for local library services and operations; and

Whereas, public libraries have experienced a substantial growth in usage, yet many municipalities lack resources to support adequate funding for library collections and operating expenditures.

Whereas, the current state grants-in-aid distribution is $.37 per capita; and

Whereas, state grants-in-aid for other similarly sized states averages $1.67; and

Now, Therefore, Be It Resolved That the New Mexico Municipal League endorses the passage of legislation to increase the appropriation to the library division of the cultural affairs to provide grants-in-aid for local library services and operations.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 Resolutions Committee

RESOLUTION 2016-8
CONCERNING THE WHISTLEBLOWER PROTECTION ACT

Whereas, the Whistleblower Protection Act (“Act”) was enacted by the New Mexico Legislature in 2010; and

Whereas, the Act was intended to prohibit public employers from retaliating against public employees who take action, object to, or refuse to participate in a matter the employee believes, in good faith, to be an unlawful or improper act.; and

Whereas, the Act provided for a 2 year statute of limitations for bringing a claim and authorized the claim to be filed in any court of competent jurisdiction; and

Whereas, the Act is a non-exclusive remedy, meaning that a claim under the Act may be brought independently of any other employment-related claim; and

Whereas, current state and federal law provided for legal remedies against employers for prohibited activities, including retaliation-based claims; and

Whereas, municipal governments have experienced a significant increase in the number of employment-related lawsuits that include a whistleblower claim; and

Whereas, portions of the Act are vague and subject to multiple interpretations; and

Now, Therefore, Be It Resolved, that the New Mexico Municipal League supports amending the Whistleblower Protection Act to better define the definition of “good faith” by requiring some minimal threshold of evidence for an employee to file a claim under the Act; and

Be It Further Resolved, that the Act be amended to narrow the definition of “retaliatory action” as the
current definition encompasses any “adverse employment action against a public employee”; and

Be It Further Resolved, that the Act be amended to limit “unlawful or improper act(s)” to violations of state or federal law; and

Be It Further Resolved, that the Act be amended to narrow the universe of individuals to whom a complaint may be communicated as a precondition to filing a claim under the Act.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 CEDGOHR Committee Priority:  HIGH
2016 PS Committee Priority:   HIGH

RESOLUTION 2016-25
CONCERNING AMENDING THE SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

Whereas, the New Mexico Sex Offender Registration and Notification Act (SORNA), NMSA §29-11A-1 et seq., requires offenders convicted of certain sexual offenses in New Mexico to register with the sheriff of the county where the offender resides; and

Whereas, the New Mexico SORNA is not fully compliant with federal law (Title I of the Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248); and

Whereas, legislation to bring our state into federal compliance has been introduced over the past several years, including House Bill 179 (Rep. Herrell) in 2012, but has failed to pass; and

Whereas, the legislation needed for compliance includes the incorporation of a more comprehensive group of sex offenders and offenses for which registration is required, tighter and more extensive registration requirements, and expansion of the amount of information available to the public; and

Whereas, New Mexico has been losing critical federal funding because of its non-compliance with the federal law; and

Whereas, an additional consequence of our state's non-compliance is that New Mexico has become an attractive relocation destination for sex offenders from other states who wish to avoid registering as sex offenders in their new communities; and

Whereas, SORNA does not include provisions for sex offender risk assessment that could provide local law enforcement agencies with a scientifically based method for identifying those offenders who are most likely to reoffend; and

Whereas, the addition of support or legislative mandate for scientifically based risk assessment will allow law enforcement agencies to devote limited resources to monitoring the behaviors of those offenders who have proven to provide the most significant risk to the community.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and

Be It Further Resolved that the amendments to SORNA also address the subject of sex offender risk assessment.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 PS Committee Priority:  MEDIUM #2
RESOLUTION 2016-28
CONCERNING LAW ENFORCEMENT AND MENTAL HEALTH PROFESSIONALS
CRISIS INTERVENTION FOR THE MENTALLY ILL

Whereas, one of the greatest challenges first responders face in New Mexico and across the nation is how to effectively respond to people who have mental health disorders or who are in crisis; and

Whereas, HJM 17 (2011) made recommendations to reduce the number of individuals with mental health disorders who require law enforcement intervention; and

Whereas, New Mexico Law Enforcement agencies, Fire Personnel, EMS, and their supporting agencies are the first responders when dealing with a person who suffers from mental illness or is in crisis and such response requires adequate resources, knowledge, and equipment if such a response is to be compassionate, effective and in the best interests of the individual; and

Whereas, it is the responsibility of the State Legislature to provide adequate resources devoted to dealing with the issue of mental illness in New Mexico. This responsibility extends to all social service agencies and advocacy groups whose mission is to assist citizens suffering from mental illness, thereby reducing the need for Law Enforcement Personnel to respond to individuals in mental health crisis; and

Whereas, New Mexico Law Enforcement personnel are frequently drawn into numerous contacts with citizens suffering from mental illness or who are in crisis, and options for placement and treatment of these citizens are not readily available; and

Whereas, the risk of physical confrontation between the citizen suffering from mental illness or crisis and responding Law Enforcement personnel is high and such confrontations frequently result in serious injury or death to the citizen, bystanders or to the responding Law Enforcement personnel; and

Whereas, New Mexico Law Enforcement Personnel currently receive basic training on how to assess and handle those suffering from Mental illness as part of the New Mexico Law Enforcement Academy training curriculum pursuant to HB 93; and

Whereas, one of the paramount challenges facing New Mexico Law Enforcement agencies is the lack of adequate support resources for effectively handling and de-escalating potentially deadly situations involving a person or persons in crisis, the first responder and the general public. Having these support options readily available is critical when first responders arrive on-scene to prevent further tragedy. The critical missing link is the availability of Crisis Intervention Teams comprised of specifically trained Law Enforcement Personnel and Mental Health Professionals who will engage in the crisis intervention process on scene as a team; and

Whereas, New Mexico Law Enforcement recognizes and has identified the lack of available resources and professionals specifically trained in crisis intervention and dealing with the mentally ill, and has determined this to be a state wide issue which is not regionalized to a single urban, suburban or rural area. Law Enforcement agencies across the state face the same challenges in not having the readily available resource of an available Crisis Intervention Team to assist in de-escalating potentially deadly situations and bring about a safe resolution; and

Whereas, New Mexico Law Enforcement seeks to establish a collaborative partnership with Mental Health professionals, and develop regionally based Crisis Intervention Teams throughout New Mexico that can offer immediate assistance either telephonically, or in person, thereby incorporating a level of expertise and intervention which would provide an additional resource for de-escalating a potentially deadly situation and obtaining the proper emergency assistance needed for the person or persons in crisis; and

Whereas, New Mexico Law Enforcement proposes to partner with Mental Health Professionals statewide in developing regionalized teams to effectively handle potentially volatile situations involving those who suffer from mental illness and are in crisis. This partnership in creating Regional Crisis Intervention Teams will serve as an essential tool for first responders in de-escalating potentially deadly situations, and would make sure those who are in crisis get the appropriate medical care, that especially in rural areas, is often not available pursuant to Section 43-
Whereas, existing Crisis Intervention Teams that exist in New Mexico's larger law enforcement agencies are available to use as a model and resource for the proposed regional Crisis Intervention Teams.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to provide funding and legislative statutory support for mental health resources, and mandated Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

RESOLUTION 2016-32
CONCERNING AN OFFENDER'S POSSESSION OF FIREARMS WHILE SUBJECT TO AN ORDER OF PROTECTION OR FOLLOWING CONVICTION FOR A DOMESTIC VIOLENCE OFFENSE

Whereas, the Violence Policy Center ranked New Mexico as the third most dangerous state for women in 2013, the year in which twenty-one women were killed by their intimate partners, fourteen of which were committed with a firearm; and

Whereas, a woman is five times more likely to be killed by a domestic violence offender if the offender owns a gun; and

Whereas, a firearm was used in 64% of reviewed CY2012 homicides and 86% of reviewed suicides; and

Whereas, six reviewed CY2012 cases involved a prohibited person in possession of a firearm and three had convictions for misdemeanor domestic violence and all six had at least one felony conviction; and

Whereas, all 13 judicial district courts combined issued 3,523 domestic violence orders of protection during calendar year 2013 and the following year 3,512 orders were issued; and

Whereas, a law is needed that will reduce the threat women and children experience from domestic violence offenders; and

Whereas, New Mexico Intimate Partner Violence Death Review Team has urged for the creation and passage of such state legislation actively supported by New Mexicans to Prevent Gun Violence, Coalition to Stop Gun Violence, The Office of the Attorney General, District Attorney Jennifer Padgett and domestic violence awareness groups throughout the State of New Mexico; and

Whereas, twenty-eight states have enacted similar legislation that prohibits possession of, or sales to, any person subject to an order of protection under the Family Violence Protection Act; and

Whereas, such bill, called “Relating to Domestic Violence; Prohibiting Individuals Subject to Orders of Protection from Possessing or Purchasing Firearms,” has been prepared by the New Mexico Legislative Council Services that mirrors Federal statute; and

Whereas, this legislation will aid law enforcement in keeping the peace in volatile domestic relationships, reinforce the importance of removing firearms from the hands of domestic violence offenders, may provide resources for retrieving and storing these weapons and create a comprehensive system for monitoring compliance.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports legislation relating to Domestic Violence; “Prohibiting Individuals Subject to Orders of Protection from Possessing or Purchasing Firearms.”

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 Resolutions Committee
RESOLUTION 2016-31
CONCERNING EXTENDED JURISDICTION OF MUNICIPAL POLICE OFFICERS

Whereas, within the State of New Mexico, municipal police officers and county sheriffs are bound to “Territorial Jurisdiction,” regardless of the type and size of the law enforcement agency, and State legislative law enforcement authority exists only within those jurisdictions, with the exception of an agreement referred to as “Cross Commission”; and

Whereas, within the State of New Mexico the State Police, County Sheriffs, and Municipal Law Enforcement agencies are limited in authority based upon “Territorial Jurisdiction.” The State Police have state wide jurisdiction, the County Sheriffs have county wide jurisdiction, and Municipal Agencies have sole jurisdiction within the city boundaries, unless a “Cross Commission” agreement exists. The authority of a certified law enforcement officer to investigate crimes which have an absolute “Nexus” to their “Territorial Jurisdiction” is limited should the witnesses and or suspect(s) reside or have fled outside of the employing agency’s “Territorial Jurisdiction.” Based on the lack of authority, in such cases the investigating agency must seek assistance from the jurisdictional agency in which the investigation has led them to in the course of their duties. Based upon man power shortages and the unavailability of resources of that agency; they may not be able to accommodate the request, or the time frame for accommodation is unreasonable; and

Whereas, within the State of New Mexico there currently are an estimated 2000 vacant certified law enforcement positions statewide, with that number expected to increase in the future. Many law enforcement agencies statewide are experiencing a lack of personnel and limited resources; many do not have the availability to adequately accommodate requests from outside agencies to assist in their investigations; and

Whereas, the lack of law enforcement authority experienced by County Sheriffs, and Municipal Police Agencies have been the direct cause of solvable cases becoming inactive simply because law enforcement officers are limited in authority to “Territorial Jurisdiction.” Many cases never see the light of a courtroom and many victims are left without justice. Currently, should a law enforcement officer outside their “Territorial Jurisdiction” engage in any type of law enforcement activity excluding Mutual Aid or a Cross Commission agreement, they could potentially face criminal prosecution based on the lack of law enforcement authority; and

Whereas, the term “Nexus” as referred to, is defined as having a direct connection to, or linked to a crime committed in the “Home Jurisdiction” of the investigating law enforcement agency; and

Whereas, the term “Policy & Procedure” is defined as an operational guideline, overall plan embracing the general goals and acceptable procedures, a definite course or method of action in light of given circumstances; and

Whereas, this resolution is the general model of legislative law enforcement authority for individual States within the United States of America. Nothing in this resolution is in contrast to or minimizes guaranteed individual rights which are protected under the State of New Mexico Constitution.

Now, Therefore, Be it Resolved that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police seek legislation to extend the territorial jurisdiction of municipal police officers by providing that, any fulltime employed law enforcement officer within the State of New Mexico, who has met the State Legislative uniform requirements as outlined in 29-7-6 NMSA 1978 (Law Enforcement Training), and is certified as a peace officer through the State of New Mexico, shall have uniform law enforcement authority to conduct, within any extended jurisdiction adopted by the municipal governing body, any investigation and arrest which has a direct “Nexus” to the “Territorial Jurisdiction” of his/her employing agency, and the prosecution venue of such crimes is within their “Territorial Jurisdiction”; and

Be it Further Resolved within the State of New Mexico that each municipality may develop and implement policy and procedures to accommodate extended law enforcement authority, and place guidelines in which the primary goal is the focus of criminal investigations and prosecution for crimes that have a direct “Nexus” to their
specific “Territorial Jurisdiction.” The “Policy and Procedures” should include, but not be limited to addressing each agency’s personnel are primarily responsible for enforcing laws within their own “Territorial Jurisdiction.” This includes notification to the appropriate jurisdictional agency when an investigation has led them to an outside jurisdiction. Every municipality has the ability to develop policy and procedure defining guidelines for their law enforcement personnel.

Be it Further Resolved that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police seeks legislation to address general liability as the result of a New Mexico certified law enforcement officer exercising his/her authority, within the scope of his/her duties as being incurred by the employing agency, should the foundation for such liability take place in an outside jurisdiction. This shall be addressed in each municipality’s “Policy & Procedure Manual” for law enforcement personnel.

Be it Further Resolved that the New Mexico Municipal League and the New Mexico Association of Chiefs of Police supports legislation to amend NMSA 1978 Section 3-13-2 as follows:

A. The police officer of a municipality shall:
1). execute and return all writs and process as directed by the municipal judge of the municipality employing the police officer;
2). execute and return all criminal process as directed by the municipal judge of any incorporated municipality in the state if the criminal process arises out of a charge of violation of a municipal ordinance prohibiting driving while under the influence of intoxicating liquor or drugs;
3). serve criminal writs and process specified in Paragraphs (1) and (2) of this subsection in any part of the county wherein the municipality is situated; and
4). within the municipality:
   a. suppress all riots, disturbances and breaches of the peace;
   b. apprehend all disorderly persons;
   c. pursue and arrest any person fleeing from justice; and
   d. apprehend any person in the act of violating the laws of the state or the ordinances of the municipality and bring him before competent authority for examination and trial.

B. In the discharge of his proper duties, a police officer shall have the same powers and be to the same responsibilities as sheriffs in similar cases.

C. The jurisdiction of a municipal police officer provided for in subsection A may be extended beyond the municipal limits provided that the governing body of the municipality employing the police officer has adopted a policy, including rules and regulations that specify the geographical jurisdiction its officers and the conditions and limitations of any extended jurisdiction. This authority shall only apply to the investigation and arrest of individuals accused of committing a criminal offense that was committed within the municipality seeking the extended jurisdiction.

Passed, Approved and Adopted this 1st day of September at the City of Hobbs, New Mexico.

2016 Resolutions Committee
FROM AROUND THE STATE

TRASH ART
A NEW MEXICO COMMUNITY IS TAKING PART IN A GROWING NATIONAL CRAFT, TRANSFORMING DUMPSTERS INTO WORKS OF ART.

Reprinted with Permission Danielle Prewitt’s article on line and in Alamogordo Daily News from 10/17/16

Roberta Sajda never imagined she’d be painting the side of a dumpster. As a teacher of art for almost 30 years and a resident of Cloudcroft, New Mexico, she’s never seen a canvas quite like this. “I’ve painted murals before, but never...never have I painted dumpsters,” she said. A project that transforms unpleasant-looking dumpsters into works of art, ‘Trash Art’ brings together local artists and members of the Cloudcroft Art Society, like Sajda, to craft paintings that portray the area’s culture and antiquity.

Maria Tieman, a member of the art society, is helping to facilitate the direction of the project. “These works of art depict the work history here, which is just phenomenal,” she said. The Village of Cloudcroft was able to implemented the beautification project with funding from the New Mexico Tourism Department. In 2014, governor Susana Martinez approved $700,000 in grant awards to fund beautification efforts made by New Mexico Clean and Beautiful, a program directed by the New Mexico Tourism Department. Earlier this year, Cloudcroft sent the department an application and received 100 percent approval. The town was awarded $2,150, helping with the cost of paint supplies. Cloudcroft Administrator and Clerk, Jini Turri, applied for the grant, but praises the art society as the project’s main player. “I did the grant writing, but they had the hard part,” she said. “They were the ones who came up with this idea and contacted Southwest Disposal—who owns the dumpsters—for approval and came up with research and stations for people to sign up to paint.”

Covering the cost for 23 of the village’s dumpsters, the grant allows roughly $125 to be spent on art supplies for each, Tieman said. Scattered behind local businesses and along the thoroughfare from U.S. Highway 82 to Burrow Street in Cloudcroft, the village’s dumpsters once sat as eyesores. Now, they serve as charming talismans.

“The mission of this, which started back in September of 2015 when we were branded a frontier village, is to make Cloudcroft an art and artist destination and to celebrate the history,” Tieman said.

A resident since 2010 and a watercolor artist herself, Tieman is stationed just off the main road at the Allsups gas station for the day. She sets up supplies for the artists in the back of her vehicle with her husband John.

She calls it her studio. He calls it a mess.

“When we were planning this, we thought, ‘what kind of images do we want to put on these dumpsters? What would give people points of joy?’” she said, gesturing to half painted dumpsters in the parking lot.

Once a booming log and railway community, Cloudcroft is now a small, but quaint tourist destination. Painters captured the essence of the past with works depicting loggers, trains, railways, as well as native wildlife and present-day culture of the village.

In the parking lot, Sajda paints one of three linear dumpsters that, when placed together, form a railway train. As she puts final details on a figure inside a passenger car, she takes a break to notice the onlookers behind her.

It was the middle of the afternoon, and she had been painting since 9:45 that morning.

A Cloudcroft fireman steps forward and offers a thank you to Sajda, Tieman, and other present female artists for their service. The women smile back, gratuitously thanking him for his.

“I really just want to help people feel like this is a special place, to celebrate Cloudcroft,” she said.

As Sajda and other artists continued their work under the sun, several more spectators stopped for a glimpse and to say thank you for the diligence in keeping the community beautiful.

“You cannot imagine the responses we’ve had,” Tieman said. “A man pulled up while I was painting [an image of raccoons onto a dumpster] and leaned out his car window and yelled, ‘Where do I give money to this?’ And so I yelled back to him, ‘No money is needed!’”
2016 Cloudcroft Summer Program

[Image of painting and people working on it]

[Image of another painting with a cowboy and horse]

THE MUNICIPAL REPORTER, NOVEMBER 2016
With over 200 participants in attendance, all circles of fire service were represented, including municipal, county, state and federal agencies in the beautiful Village of Ruidoso. The conference was a great success!

The conference kicked off with the Linda Gaume Jaramillo Memorial Golf Tournament. Congratulations to 1st place team members: Brian Mendoza, Duane Cunningham, Gary Aldaz and Richard Lopez and to all the tournament participants.

Conference delegates enjoyed informative General Sessions with nationally renowned speakers: Ken Bouvier (Fire & EMS “We Do More than Fight Fires & First Aid”), Tim Sendelbach (Observations from 30,000’ - Challenges & Opportunities for the Modern Fire Service) and Dr. David Griffin (In Honor of the Charleston 9: A Study of Change Following Tragedy). Workshop topics included EMS Fund Act Changes & Rules, Hazardous Materials, Passenger Train Emergency Response, and Aircraft Crash Fire Safety.

The NMFCA welcomes Newly Elected Board Member Manny Gomez and re-elected Board Member Mike Cherry.

**NM Fire Chiefs Association News:**

The NM Fire Service Accreditation Program is “in the works”. NMFCA, NM Municipal League, NM Association of Counties and planning partners have begun the process of establishing an Accreditation Program for New Mexico Fire Departments. NM Fire Service Professional Standards Council By-Laws have been created and signed by William Fulginiti, NMML Executive Director, Steve Kopleman, NMAC Executive Director and James Salas, NMFCA President. *Stay tuned...for further developments.*

The NMFCA awarded “The Louis Jones Memorial Scholarship” to four very deserving students. Scholarship recipients are L. Kahil Adams, Jordan Arielle Chavez, Brandi Cherry and Tyler R. Potter. Tyler is the grandson to the late Louis Jones.

The NMFCA hosted a Spring Training Event in April of this year. The Training Event was successful and the NMFCA Board will continue to provide various trainings in 2017. Be on the lookout for these notices in the upcoming year.

**SPECIAL THANKS TO**

- Retired Las Cruces Fire Chief Travis Brown for coordinating the Spring Training Event and also to “Visit Las Cruces” (CVB), Red Hawk Golf Club, Holiday Inn Express and City of Las Cruces for their support.
- Retired Taos Fire Chief, Jim Fambro for coordinating a great NMSFC Golf Tournament.
- All of the NMFSC speakers including Ann Martinez, Dave Albert, Kevin Berry & Todd Miller.
- Chief Manny Gomez and the City of Hobbs Fire Department for their hospitality during the NMML Annual Conference.
- URENCO USA, John Sanford and Lisa Hardison for hosting a very informative presentation, lunch and facility tour that took place in Hobbs prior to the League Conference.
2016-17 New Mexico Fire Chiefs Association Board Members: (from left to right) President Elect: Phillip Mares, Fire Chief – City of Las Vegas, Director I: Leroy Gonzales, Fire Chief – Town of Taos, Director II: Manny Gomez, Fire Chief – City of Hobbs, Immediate Past President: Lewis Cooper, Fire Chief – City of Texico, President: James Salas, Chief Executive Fire Officer – Town of Dexter, Director IV: Mike Cherry, Deputy Fire Marshal – Quay County, Director III: Devin Graham, Fire Chief – City of Roswell

NM Fire Service Professional Standards Council By-Laws have been established by members of the NMFSAP planning committee and signed by James Salas, NMFCA President and William Fulginiti, NMML Executive Director and Steve Kopleman, NMAC Executive Director

Attendees at the Spring Training event hosted by NMFCA in April
DEPUTY CLERK RECEIVES CERTIFIED MUNICIPAL CLERK (CMC) DESIGNATION

Terri Racher, Deputy Clerk of the Village of Corona, has received the prestigious Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC).

The CMC designation program is designed to enhance the job performance of the Clerk in small and large municipalities. To earn the CMC designation, a Municipal Clerk must attend extensive education programs. The designation also requires pertinent experience in a municipality. The program prepares the participants to meet the challenges of the complex role of the municipal clerks by providing them with quality education in partnership with 47 institutions of higher learning. The program has been in existence since 1970 and has helped thousands of clerks in various municipalities.

Founded in 1947, IIMC is a professional association with more than 10,000 members in the US, Canada and 15 other countries. IIMC’s primary goal is to actively promote the continuing education and professional development of municipal clerks through extensive education programs, certification, recertification, publications, networking, annual conferences and research. IIMC also engages in municipal research administration, enhances critical professional skill development and fosters a spirit of mutual assistance and good fellowship among municipal clerks around the globe.

IIMC is governed by a 26-member Board of Directors. For more information please visit their website at www.iimc.com.
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THE MUNICIPAL REPORTER, NOVEMBER 2016
Our Investment in New Mexico

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Supporting the New Mexico Municipal League

We are proud to be a continued supporter of the New Mexico Municipal League and are dedicated to the advancement of its community initiatives. RBC is committed to enhancing the quality of life in the communities in which we live and work, and we look forward to partnering on other important projects in the future.

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