



Meeting Date: May 23, 2018
Staff Contact: Mark Sanchez, Executive Director

TITLE: R-18-16 – Delegation of Authority for Declaration of Surplus and the Disposition of Surplus from the Albuquerque Bernalillo County Water Utility Authority Public Property

ACTION: Recommend Approval

SUMMARY:

According to 2.2.2.10(U) New Mexico Administrative Code (NMAC), section 13-6-1 to 13-6-2 NMSA 1978 governs the disposition of obsolete, worn-out or unusable tangible personal property owned by state agencies. The Water Authority's governing board shall designate a committee of at least three officials to recommend and oversee dispositions, at least 30-days prior to any disposition of property, written notification of the proposed disposition must be sent to the New Mexico Office of the State Auditor (OSA). Furthermore, the disposition of property with a resale value greater than \$5,000 requires the approval from the Department of Finance and Administration (DFA).

A request is now made to allow the Standing Committee determined by the Executive Director the authority to:

- 1) Declare capital assets that are considered to be obsolete, worn-out or no longer usable, and to delete such items from its public inventory.
- 2) To dispose of equipment to local governmental agencies, who have requested the equipment.

Once the Standing Committee has declared the official findings, the Financial/Business Services Division will, as a prerequisite to the disposition of any surplus item, give at least 30-days notification, by sending a copy of the official findings to the OSA, for items \$5,000 or less, but over \$500, and notification to DFA for items having a resale value of more than \$5,000.

Official findings will be duly notarized and will be provided to the State as soon as property has been turned into the Water Authority Warehouse. Time of final disposition will occur after the 30-day notification by State.

FISCAL IMPACT:

None.

COMMENTS:

The current procedure under the City of Albuquerque's Procurement Code § 5-5-16 DISPOSITION OF CITY-OWNED SURPLUS, SALVAGE AND SCRAP PROPERTY is not in compliance with 2.2.2.10(U) New Mexico Administrative Code (NMAC), sections 13-6-1 and 13-6-2 NMSA 1978 as "Municipalities" are exempt from this statute.

As a political subdivision of the State of New Mexico, the Water Authority is required to comply with State Statute and written Water Authority's Property Disposition Procedures.

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-18-16

1 **RESOLUTION**
2 **DELEGATION OF AUTHORITY FOR DECLARATION OF SURPLUS AND THE**
3 **DISPOSITION OF SURPLUS FROM THE ALBUQUERQUE BERNALILLO COUNTY**
4 **WATER UTILITY AUTHORITY PUBLIC PROPERTY**

5 WHEREAS, the Albuquerque Bernalillo County Water Utility Authority (Water
6 Authority) governing board must from time to time dispose of used public property in
7 accordance with NMSA 1978 § 13-6-1 *et. seq.*; and

8 WHEREAS, to promote efficiency and stability in the process of disposing of used
9 public property, pursuant to NMSA § 13-6-1 *et seq.*, a permanent standing committee
10 composed of the Executive Director or his designee and two appointed members by the
11 Executive Director should be created to identify, recommend and oversee the periodic
12 disposition of items that are worn-out, unusable or obsolete.

13 BE IT RESOLVED BY THE WATER AUTHORITY:

14 That the Board of the Water Authority hereby creates the Standing Committee for
15 Disposition of Used Public Property and appoints the Executive Director or his designee
16 and two additional Water Authority employees, to be designated in writing by the
17 Executive Director as ex-officio members of the three-person standing committee to
18 identify, recommend, and oversee the disposition of public property that is worn-out,
19 unusable, or obsolete.

[+Bracketed Material+] - New
[-Bracketed Material-] - Deletion

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