

AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
February 26, 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 Culture's

V. ROLL CALL

VI. AGENDA APPROVAL

VII. CITIZEN RECOGNITION

VIII. EMPLOYEE RECOGNITION

IX. CITIZENS INPUT (3 Minutes Maximum)

X. CONSENT AGENDA

- A. Commission Workshop Minutes February 12, 2019
- B. Commission Meeting Minutes February 12, 2019
- C. Commission Special Meeting Minutes February 18, 2019
- D. Change in Library Board Appointment for Commission Member
- E. Letter of Support to Governor Lujan for Senate Bill 367
- F. Resolution 2019-1117 Authorizing Opening And Closing Of Time Certificate Of Deposit for City Of Aztec
- G. Law Enforcement Protection Fund Grant
- H. Special Budget Resolution 2019-1118

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

XI. ITEMS FROM CONSENT AGENDA

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.

XII. BUSINESS ITEMS

- A. Direction for HUB Incubator Building
- B. Direction for Destruction or Storage for Aztec Teen Center

XIII. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS

XIV. DEPARTMENT REPORTS

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

XV. ADJOURNMENT

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.

1 CITY OF AZTEC
2 WORKSHOP MEETING MINUTES
3 February 12, 2019
4

5 **I. CALL TO ORDER**
6

7 Mayor Snover called the Workshop to order at 5:17 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 Community Development Director Steven
19 Saavedra; Project Manager Ed Kotyk; City
20 Clerk Karla Saylor; see attached sign in sheet
21

22 **A. HUB Renovation Discussion**
23

24 City Manager Steve Mueller explained that there were two properties up
25 for discussion and he turned the HUB discussion over to Community
26 Development Director Steven Saavedra. Steven explained that we are
27 looking for direction on what to do with the HUB that was purchased for
28 \$135,230.00 that is designed to offer training and support for the business
29 community. He explained that the property needs mandatory ADA
30 improvements estimated at \$30,000. Steven said that if the City continues to
31 operate the HUB in order for it to function that way it was intended we need
32 to hire a full-time and a part-time person so that it is staffed at all times. This
33 will exceed the \$64,000 which is budgeted for personnel. He explained that
34 extensive marketing needs to take place as well, also funds for programming,
35 training, and maintenance are also costs the City will incur.

36 Commissioner Sipe mentioned that the initial plan never came to fruition
37 with the Chamber and others helping to staff it. Commission thought that
38 depending on who purchased the property the remodel might be different.
39 Commissioner Randall mentioned that the property has frustrated him from
40 the beginning. City Manager Steve Mueller mentioned that the HUB is not
41 profit generating and never will be. Commission asked if we have had
42 serious inquiries from people interested in purchasing the property. Mayor
43 Pro-Tem Fry mentioned that the 550 has been a success. Steven mentioned
44 that 550 has expressed interest in staying there. Steven explained that what
45 we need from Commission is a decision as to which direction we need to go
46 either sell it or go all in a run it how it was intended to be. He explained that

1 this will be on a Commission Agenda in the future for a decision.
2

3 **B. Teen Center Discussion**
4

5 City Manager Steve Mueller explained that the City owns the property because
6 the Boys and Girls Club in order to apply for a grant had to turn the building over to the
7 City. Steve explained that the only portion of the building that is usable is the gym area.
8 He explained that surplus is an option or the Electric Department would like to use it for
9 storage of Christmas decorations which are currently stored outside. A zone change
10 would be required and also the cost of adding bay doors and some demolition and a few
11 alterations. This will also be appearing on a future Commission agenda for a decision
12 on direction.
13

14 **II. ADJOURNMENT**
15

16 Moved by Mayor Snover to adjourn the meeting at 5:48 p.m.
17

18 _____
19 Mayor, Victor C. Snover

20 ATTEST:
21

22 _____
23 Karla Saylor, City Clerk
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25 MINUTES PREPARED BY:
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27 _____
28 Sherlynn Morgan, Administrative Assistant
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1
2 CITY OF AZTEC
3 COMMISSION MEETING MINUTES
4 February 12, 2019
5

6 **I. CALL TO ORDER**
7

8 Mayor Victor Snover called the Meeting to order at 6:04 pm at the Aztec City
9 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
10

11 **II. INVOCATION**
12

13 The Invocation was led by Commissioner Sipe
14

15 **III. PLEDGE OF ALLEGIANCE**
16

17 The Pledge of Allegiance was led by Mayor Snover
18

19 **IV. NEW MEXICO PLEDGE**
20

21 I Salute The Flag Of The State Of New Mexico And The Zia Symbol Of Perfect
22 Friendship Among United Culture's.
23

24 The New Mexico pledge was led by Mayor Snover
25

26 **V. ROLL CALL**
27

28 Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;
29 Commissioner Sipe; Commissioner Mark
30 Lewis; Commissioner Austin Randall
31

32 Members Absent: NONE
33

34 Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker;
35 Project Manager Ed Kotyk; City Clerk Karla Sayler (see
36 attendance sheet)
37

38 **VI. AGENDA APROVAL**
39

40 MOVED by Commissioner Randal to Approve the Agenda as given
41 SECONDED by Commissioner Lewis
42

43 All voted Aye: Motion passed five to zero
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46

47 **VII. PROCLAMATION**

48
49 Proclaiming the month of February African American History Month

50
51 Mayor Snover read the proclamation and presented it to Library Director Angela
52 Watkins for display at the library.

53
54 **VIII. CITIZEN RECOGNITION**

55
56 NONE

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58 **VIII. EMPLOYEE RECOGNITION**

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60 NONE

61
62 **X. CITIZENS INPUT (3 Minutes Maximum)**

63
64 Mayor Snover read the statement the City put out in response to the postcard that
65 City residents received with misinformation regarding trash services.

66 Katherine Pettijohn came to express her support for curbside recycling she
67 believes that people will adapt to the cost and keep the waste out of the landfill.

68 Zach Pettijohn also expressed his thoughts in support for curbside recycling. He
69 believes Aztec is behind in curbside recycling.

70 Christa Chapman mentioned that she has never lived without curbside recycling
71 until she moved to Aztec and mentioned that she is in support of recycling.

72 Alexis Delacruz encouraged the Commission to vote for recycling to save money in
73 the long run and it will be more convenient for residents.

74 Carl Bickford is excited to see the new provider. He has transported his recycling
75 for 22 years and would like to see curbside recycling.

76 Mary Hunter mentioned that problems in the past with Waste Management led to
77 the transition to Transit Waste in the beginning. She recycles and does not want to pay
78 the extra to have curbside recycling. She has heard from people that the recycle stuff
79 goes to the landfill anyway.

80 Angela Horn mentioned that she has watched her mother's utility bills go up and up
81 over the last 2 years and she is having to help supplement her mother's income and her
82 mother pays more in utilities than in rent. She is not in support of curbside recycling
83 because of the increase.

84 Mrs. Cargile came complained about the potholes on Newman Ave. she says she
85 has asked for something to be done for 10 years.

86 Richard Boone was back again over the Farmers Irrigation District and the lack of
87 them taking responsibility for their actions.

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92 **XI. CONSENT AGENDA**

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94
95 A. Commission Special Closed Session Minutes January 15, 2019
96 B. Commission Workshop Minutes January 22, 2019
97 C. Commission Meeting Minutes January 22, 2019
98 D. Commission Special Workshop Minutes January 29, 2019
99 E. Resolution 2019-1115 Municipal Surplus
100 F. General Services and Public Works Department Record Destruction
101 G. Lodger's Tax Advisory Board Member Appointments
102 H. Resolution 2019-1116 Authorizing Opening And Closing Of Time Certificate Of
103 Deposit for City Of Aztec
104 I. Letter of Support for City of Bloomfield /Bloomfield Irrigation District Legislative
105 Capital Outlay Request
106 J. Volunteer Firefighters Annual PERA Report
107

108 Moved by Commissioner Randall, SECONDED by Commissioner Sipe to
109 approve the Consent Agenda as given

110
111 All Voted Aye: Motion Passed Five to Zero
112

113 **XII. ITEMS FROM CONSENT AGENDA**

114
115 NONE
116

117 **XIII. BUSINESS ITEMS**

118
119
120 **A. FY19 Funding Request: Aztec Farmers Market**
121

122 Mrs. Poe with the Farmers Market mentioned that she is the Market Manager and
123 she explained what the Farmers Market is and about the programs they participate in.
124 She is here to request funding for the 2019 market. They are an all-volunteer market
125 and are dedicated to strengthening the local food systems around the state.

126 Mayor Pro-Tem Fry asked if they have considered new locations for the market.
127 Mrs. Poe explained they have received several suggestions but have not decided on
128 one at this time. Commissioner Sipe asked if they were looking for a yearly amount or a
129 one-time amount. Mrs. Poe explained that the market could really benefit from funding
130 other than the \$3000 that they have been operating under. Mayor Snover mentioned
131 that this is like the funding requests that they receive every year from other
132 organizations and mentioned that if this was known about at budget time they could
133 budget the funds for requests made. Commissioner Randall asked about the minimum
134 amount of \$7800. Mrs. Poe explained that the market brings people and this benefits
135 the GRT in Aztec.
136

137 Moved by Mayor Pro-Tem Fry, SECONDED by Commissioner Randall to
138 Approve funding to the Aztec Farmers Market in the amount of \$7,800

139
140 A Roll Call was taken: All Voted Aye: Motion Passed Five to Zero

141
142 **B. Intent to Adopt Ordinance 2019-489 Amending Chapter 16, Division 3,**
143 **Section 16-211 Solid Waste Rates**

144
145 City Manager Steve Mueller explained that the services were awarded to Waste
146 Management on at the Commission Meeting on January 22, 2019 and this directed staff
147 to enter into contract negotiations with Waste Management. A Workshop was held
148 January 29, 2019 to discuss the solid waste and recycling programs. The agreement
149 with Waste Management would be effective March 1, 2019 the new cost to customers
150 would be an additional \$3.47. Steve explained that for curbside pickup 2 times a month
151 the cost would be \$7.46 and for one pick up a month it is \$6.68. He explained that the
152 Commission needs to decide if the City will begin the recycling program now or
153 postpone the program and if they decide to go with the program they need to decide if
154 pick up will be once or twice a month. Commissioner Sipe mentioned that she had more
155 citizens contact her stating that they were not in favor of curb side recycling. She
156 mentioned that one of the reasons that we changed trash providers was because we did
157 receive a lot of complaints on the current provided. Commissioner Lewis mentioned that
158 he had 50/50 in favor and against. Mayor Snover mentioned that we did discuss many
159 ways to reduce costs. Mayor Pro-Tem Fry mentioned that when we make the transition
160 we will be able to subtract the \$2.35 from the bill when we can remove the recycling
161 from the yard. Commissioner Randall mentioned that until he can see that recycling is
162 actually being recycled he is not sure. Mayor Snover feels that we have a viable market
163 for recycling based on information and research he has seen.

164
165 Moved by Commissioner Lewis, SECONDED by Mayor Pro-Tem Fry to Approve
166 the intent to Adopt Ordinance 2019-489 Amending Chapter 16, Division 3, Section 16-
167 211 Solid Waste and Recycling Rates including: Solid Waste rates effective March 22,
168 2019 and (Option 2) Monthly Curb side recycling city wide for residential, modifying the
169 effective date to begin Sept. 1, 2019 **and to be proceeded by an extensive recycling**
170 **education program.** Curb side recycling for commercial customers would be an opt-in
171 option effective Sept. 1, 2019 ~~proceeded by an intensive recycling education program.~~

172
173 A Roll Call was taken: 3 Voted Aye/ 2 Voted Nay: (Commissioner Randall and
174 Commissioner Sipe) Motion Passed Three to Two

175
176 **XIV. CITY MANAGER/COMMISSIONERS/ATTORNEY REPORTS**

177
178 City Manager Steve Mueller mentioned the Commission Retreat coming up on
179 Saturday starting at 8 am and NMML Municipal Day next week. He thanked everyone
180 for showing up great to see a turn out. There will be a special meeting and closed
181 session on Monday, January 18.

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Commissioner Lewis attended the San Juan Water Commission Meeting last week. He mentioned that several bills could effect this area. The flow reports for this year will still have low water this year.

Commissioner Randall reported that LTAB had no quorum last week.

Commissioner Sipe has NWNM Seniors tomorrow and sometime in the future she will be bringing information on paying for food and funding the food costs. She has EDAB next Thursday.

Mayor Pro-Tem Fry mentioned that she met with Angela Watkins and the library is having a memorial section where people can purchase a book with someone's name.

Mayor Snover attended ECHO board meeting and ECHO is extending the food boxes for federal workers. He was invited by the Governor to attend the executive signing of the executive order for fixing our climate.

XV. DEPARTMENT REPORTS

Chief Heal reported he is still trying to keep up with house bill 83 and it's not always easy and the lobbyists are trying to keep him involved. Senate bill 143 was tabled. He has been contacted by Wyoming and Utah to help give them information and his side of bill 83.

XVI. ADJOURNMENT

Moved by Mayor Snover, **SECONDED** by Commissioner Sipe to adjourn the meeting at 7:38 p.m.

Mayor, Victor Snover

ATTEST:

Karla Saylor, City Clerk

MINUTES PREPARED BY:

227 _____
228 Sherlynn Morgan, Administrative Assistant

DRAFT

1
2 CITY OF AZTEC
3 SPECIAL COMMISSION MEETING MINUTES
4 February 18, 2019
5

6 **I. CALL TO ORDER**
7

8 Mayor Victor Snover called the Meeting to order at 6:00 pm at the Aztec City
9 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.
10

11 **II. INVOCATION**
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15 **III. PLEDGE OF ALLEGIANCE**
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24 The New Mexico pledge was led by Mayor Snover
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26 **V. ROLL CALL**
27

28 Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry (Facetime);
29 Commissioner Sipe; Commissioner Mark
30 Lewis; Commissioner Austin Randall
31

32 Members Absent: NONE
33

34 Others Present: City Manager Steve Mueller; City Attorney Nicci Unsicker;
35 Project Manager Ed Kotyk; City Clerk Karla Sayler (see
36 attendance sheet)
37

38 **VI. AGENDA APROVAL**
39

40 MOVED by Commissioner Randall to Approve the Agenda as given
41 SECONDED by Commissioner Lewis
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43 All voted Aye: Motion passed five to zero
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VII. BUSINESS ITEMS

A. RFP 2019-672 Municipal Solid Waste Services Agreement

Finance Director Kathy Lamb explained that this is the agreement with Waste Management and the City of Aztec. She mentioned that there have been some minor changes and she has highlighted the changes for Commission.

Moved by Commissioner Sipe, SECONDED by Commissioner Randall to Approve Solid Waste Services Agreement, Final Draft RFP 2019-672 between Waste Management of New Mexico, Inc. and City of Aztec.

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

VIII. CLOSED SESSION

Closed Session Pursuant to Section 10-15-1 (H)(7) Threatened or Pending Litigation Regarding New Mexico Taxation and Revenue Department – Gross Receipts Tax Revenue

Mayor Snover moved into closed session at 6:14 pm.

All voted Aye

Mayor Snover moved out of closed session at 6:31 pm stating nothing else was discussed.

All Voted Aye

IX. ADJOURNMENT

Moved by Mayor Snover, SECONDED by Commissioner Sipe to adjourn the meeting at 6:31 p.m.

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93

94 ATTEST:

95

96

97 _____
Karla Saylor, City Clerk

98

99

100 MINUTES PREPARED BY:

101

102

103 _____
Sherlynn Morgan, Administrative Assistant

Mayor, Victor Snover

DRAFT

Staff Summary Report

MEETING DATE: February 26, 2019

AGENDA ITEM: X. CONSENT AGENDA (D)

AGENDA TITLE: Amendment to Appointments of Commissioners to Boards/Committees

ACTION REQUESTED BY: Commission

ACTION REQUESTED: Approve Appointment of Commissioner Randall to Library Advisory Board as Commission Representative

SUMMARY BY: Karla Sayler, City Clerk

PROJECT DESCRIPTION / FACTS

Currently Commissioner Rosalyn Fry is the Commission representative to the Library Advisory Board.

Commissioner Austin Randall will be appointed as the new Library Advisory Board Commission representative.

SUPPORT DOCUMENTS: City Commission Advisory Board Table

DEPARTMENT'S RECOMMENDED MOTION: MOVE to Approve Appointment of Commissioner Austin Randall as Library Advisory Board Representative

Advisory Boards	Fry	Lewis	Randall	Sipe	Snover	Other
Airport					X	
Library			X			
Lodger's Tax			X			
Economic Development				X		
Personnel Committee (this Committee is a two person committee only for the purpose of communicating with the City Manager relating to his performance on a quarterly/semi-annual basis on behalf of Commission)				X	X	

Intergovernmental Boards	Fry	Lewis	Randall	Sipe	Snover	Other
Four Corners Economic Development Foundation (this appointment serves on the 501c3 Foundation board and that seat automatically serves on the 501c6 board also)	X			X (Alternate)		
San Juan Safe Communities Initiative	X					
Farmington Metropolitan Planning Organization				X	X (Alternate)	
NW New Mexico Seniors				X		
ECHO					X	
San Juan Water Commission		X				City Manager (Alternate)
San Juan Regional Medical Center Corporation						
Council of Governments (COG)			X (Alternate)			City Manager
County Commission Representatives		X				

Staff Summary Report

MEETING DATE:	February 26, 2019
AGENDA ITEM:	X. CONSENT AGENDA (E)
AGENDA TITLE:	Letter of Support for Senate Bill 367-Pet Food Fee for Animal Programs

ACTION REQUESTED BY:	Leslie King, Chief Program Services Officer for Animal Protection League of New Mexico
ACTION REQUESTED:	Letter of Support for Senate Bill 367-Pet Food Fee for Animal Programs
SUMMARY BY:	Steve Mueller

PROJECT DESCRIPTION / FACTS

Senate Bill 367: (information provided by Animal Protection League of New Mexico)

- SB 367 will enact a modest fee paid by pet food manufacturers of \$100/year for each product of dog and cat food and treats registered to be sold in New Mexico (added to the current \$2 registration fee), phased in over a period of three years: \$50 in 2020, \$75 in 2021, and \$100 in 2022 and beyond.
- It does NOT apply to: o livestock feed or any other animal feed o small businesses with annual gross revenue of \$3 million or less o prescription diets.
- Funding from the fee will pay costs of providing low-cost spay/neuter for animals of income-qualified New Mexicans in areas most in need (after 4% will go to NM Department of Agriculture to fund pet food registration enforcement, and up to 5% of remaining fee revenues may be used by NM Board of Veterinary Medicine for enforcement of the Animal Sheltering Act).
- The bill includes a 6-year sunset clause so the Legislature can assess the effectiveness of the fee increase.
- A similar bill passed the State Legislature in 2018 by a bipartisan 30-4 Senate vote and 48-19 House vote.

SUPPORT DOCUMENTS:	Factsheet provided by Animal Protection of New Mexico Letter of Support
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DEPARTMENT'S RECOMMENDED MOTION:	Move To Approve Letter Of Support For Senate Bill 367-Pet Food Fee For Animal Programs
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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!

February 26, 2019

The Honorable Michelle Lujan Grisham
Governor of New Mexico
Office of the Governor
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

Dear Governor Lujan-Grisham:

The City of Aztec writes in support of New Mexico Senate Bill 367 (Pet Food Manufacturer Fees to Fund Low-Cost Spay/Neuter). Senate Bill 367 will create an equitable funding mechanism for statewide low-cost spay/neuter services for income-qualified New Mexicans, a proven approach to reducing pet overpopulation and euthanasia locally and nationwide. This bill is as much a cost-saving measure as it is a humane animal care measure, and its passage is imperative to our ability to be effective and judicious stewards of city funds.

New Mexico counties and municipalities spend a combined \$27.8 million or more each year on taxpayer-funded animal control, animal care, associated infrastructure, and euthanasia. Private nonprofits spend an additional \$10.7 million for sheltering and spay/neuter services. Approximately half of the homeless animals that come into the care of animal control agencies and rescue organizations are euthanized for lack of homes, which is an appalling and wasteful use of dollars.

We know that Aztec residents want to see sustainable solutions to the problem of pet overpopulation. We believe our residents deserve to see their hard-earned dollars and donations used to humanely care for shelter animals and promote adoption—or, in fact, also support other important municipal services—rather than continue to feed the tragic and expensive cycle of animal euthanasia in our area.

We are aware that measures similar to Senate Bill 367 have passed in other states, including Maine and West Virginia. Data and testimonials from those states have shown the funding mechanism to be extremely effective in reducing animal shelter intake and euthanasia rates, thereby saving related costs. Additionally, the pet food industry appears to be unaffected—in fact, it continues to thrive in those states—and pet food customers continue to enjoy a broad selection of products to feed their dogs and cats.

For the aforementioned reasons, we strongly believe Senate Bill 367 offers a reasonable, fiscally prudent, and beneficial solution to the problem of dog and cat overpopulation that has long plagued Aztec, San Juan County, and our great state of New Mexico.

Respectfully signed,

Victor C. Snover
Mayor, City of Aztec



What Senate Bill 367 does:

- SB 367 will enact a modest fee paid by pet food manufacturers of **\$100/year for each product of dog and cat food and treats** registered to be sold in New Mexico (added to the current \$2 registration fee), **phased in over a period of three years:** \$50 in 2020, \$75 in 2021, and \$100 in 2022 and beyond.
- **It does NOT apply to:**
 - livestock feed or any other animal feed
 - small businesses with annual gross revenue of \$3 million or less
 - prescription diets.
- Funding from the fee will pay costs of providing low-cost spay/neuter for animals of income-qualified New Mexicans in areas most in need (after 4% will go to NM Department of Agriculture to fund pet food registration enforcement, and up to 5% of remaining fee revenues may be used by NM Board of Veterinary Medicine for enforcement of the Animal Sheltering Act).
- The bill includes a 6-year sunset clause so the Legislature can assess the effectiveness of the fee increase.
- A similar bill passed the State Legislature in 2018 by a bipartisan 30-4 Senate vote and 48-19 House vote.

ESTIMATED REVENUE (dollars in thousands)			Recurring or Nonrecurring	FUND/ENTITIES AFFECTED
2020	2021	2022		
\$573.5	\$860.2	\$1,147.0	Recurring	Animal Care & Facility Fund
\$25.2	\$37.8	\$50.4	Recurring	New Mexico State University Operating Funds
\$31.5	\$47.3	\$63.0	Recurring	NM Board of Veterinary Medicine Operating Funds

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)				Recurring or Nonrecurring	FUND/ENTITIES AFFECTED
2020	2021	2022	3 Year Total Cost		
(\$25.2)	(\$37.8)	(\$50.4)	(\$113.4)	Recurring	New Mexico State University Operating Funds
(\$31.5)	(\$47.3)	(\$63.0)	(\$141.8)	Recurring	NM Board of Veterinary Medicine Operating Funds
(Indeterminate)*			(Indeterminate)*	Recurring	Local Government Funds

(Parenthesis () Indicate Expenditure Decreases)

*Based on documented costs of animal control, care, and euthanasia in NM and intake/euthanasia reduction data from another state that recently raised pet food registration fees to fund spay/neuter, Animal Protection Voters estimates that **local government animal control and shelters will see a recurring cost-savings of approximately \$500,000/year.**

Why do we need to fund spay/neuter? This effort responds to a [history of requests from the State Legislature and state agencies](#) to develop affordable and accessible spay/neuter resources in our state. A feasibility study on funding mechanisms requested by Senate Memorial 36 (2011) prepared for the Animal Sheltering Board, together with a comprehensive animal shelter survey conducted by Animal Protection of New Mexico, has found:

- New Mexico’s [local governments and non-profits spend \\$38.5 million in tax and donor dollars](#) to fund animal care, control and spay/neuter services—a number that has increased over time.
- Over 135,000 dogs and cats enter New Mexico’s animal shelters every year—about **half are euthanized**.
- Rural counties have the greatest need: Euthanasia rates are as high as 60%-85%.
- 2/3 of New Mexico counties have inadequate spay/neuter services.

What about other existing funding mechanisms? The NM Legislature has already created a [spay-neuter license plate](#) and a [voluntary tax check-off program](#), but they have not generated nearly enough income for a comprehensive, statewide, subsidized spay/neuter program. **The pet food manufacturer fee increase proposed by SB 367 is the [best and only remaining feasible funding mechanism](#) appropriate for New Mexico that is not already enacted.** The following is an excerpt from the independent feasibility study that compared different funding mechanisms.

Table 1: Summary of Criteria Evaluation for Each Funding Mechanism

	<i>Surcharge on fines</i>	<i>Income tax or car registration check-off</i>	<i>Intact animal or litter permit fees</i>	<i>Statewide companion animal licensing</i>	<i>Grant writing</i>	<i>Pet food distribution fee</i>
<i>Sufficient Revenue</i>	Low	Low	Low	Low	Low	High
<i>Reliable and predictable</i>	Low	Low	Low	Low	Low	High
<i>Limited complexity for start-up</i>	Low	Low - Medium	Low	Medium	High	High
<i>Limited administrative burden</i>	Low	High	Low	High	Medium	High
<i>Equitable Source</i>	High	High	High	High	N.A.	High

How are statewide spay/neuter funds administered in New Mexico? Funds will be administered by the NM Board of Veterinary Medicine, based on recommendations by its animal sheltering subcommittee.

How much funding would the additional fee provide for low-cost spay/neuter?

At the completion of the phase-in, the fee is expected to generate an estimated \$1.26 million per year, with **over \$1.1 million annually** dedicated to sterilize an estimated 16,000-22,000 dogs and cats of income-qualified New Mexicans.

This approach is PROVEN to be effective to reduce shelter pet euthanasia. Other states—West Virginia, Maine, and Maryland—have increased or added fees for spay/neuter onto existing pet food registration fees. Notably, Maryland passed legislation in 2013 raising pet food registration fees to \$100 over the course of three years and reports a decrease in intake and [dramatic 29% reduction in euthanasia](#).

Why this legislation makes sense: Several other states charge pet food manufacturers up to \$100 per product for sale in those states. New Mexico currently charges only \$2/year per product. We are missing out. SB 367 would [keep our pet food registration fees in line with what other states charge](#), but dedicate that money to low-cost spay/neuter services. [If pet food manufacturers pass the fee to consumers by proportionally raising retail prices, it will average only \\$1.13 to \\$2.26 per year per pet-owning household \(as it phases in\).](#) The best available data from states who have implemented similar pet food registration fee increases shows [zero to negligible impact on consumer costs, retail pet food prices, and availability of product variety](#) in those states. For example, since enacting a pet food manufacturer increase in Maine, the state reported a decrease in euthanasia, but also an increase in the number of pet food/treat products registered for sale.

Staff Summary Report

MEETING DATE: FEBRUARY 26, 2019
AGENDA ITEM: XI. CONSENT AGENDA (F)
AGENDA TITLE: Resolution 2019-1117 Authorizing Opening and Closing of Time Certificates of Deposit for City

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approve Resolution 2019-1117 Authorizing Opening and 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.
- The Finance Department will solicit all approved depositories (Resolution 2018-1095) for interest rates on Monday, February 25, 2019, for 6 and 12 month certificate of deposit in the amount of \$1,000,000.00.
- Rate quotes received

Financial Institution	Term	Rate	Earnings Projection
Citizens Bank	12 month	2.30%	\$23,000.00
Vectra Bank	12 month	2.05%	\$20,500.00
Four Corners Community Bank	12 month	1.85%	\$18,500.00
Bank of Southwest	Declined		
Wells Fargo	No response		
High Desert Credit Union	No response		
LGIP	30 day net yield	2.363%	

PROCUREMENT

- None

FISCAL IMPACTS

- Estimated interest earned at 2.30% for 12 months on \$1,000,000.00 is \$23000.

SUPPORT DOCUMENTS: Resolution 2019-1117

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2019-1117
Authorizing Opening and Closing of Time Certificates of Deposit for City

**CITY OF AZTEC
RESOLUTION 2019-1117**

**AUTHORIZING OPENING AND 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 0235659729, in the amount of \$1,000,000.00, interest rate of 2.03% for 6 months expired on February 14, 2019, at Citizens Bank, Aztec NM; and

WHEREAS, City of Aztec, New Mexico, Finance department solicited all banks authorized as designated depositories of said City per Resolution 2018-1095.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY of the City of Aztec, New Mexico, to close time certificate of deposit 0235659729 in the amount of \$1,000,000 at Citizens Bank, Aztec, New Mexico and open time certificate of deposit 0235815825 at Citizens Bank, Aztec, New Mexico, in the amount of \$1,000,000 interest rate of 2.30% for 12 month period, beginning February 27, 2019, and maturing February 27, 2020.

PASSED, APPROVED, SIGNED AND ADOPTED this 26th day of February 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: February 26, 2019
AGENDA ITEM: X. CONSENT AGENDA (G)
AGENDA TITLE: Law Enforcement Protection Fund Grant

ACTION REQUESTED BY: Chief Heal
ACTION REQUESTED: To have Mayor sign Law Enforcement Protection Fund Grant

SUMMARY BY: Chief Heal

PROJECT DESCRIPTION / FACTS

- New Mexico Law Enforcement receives grants from the State depending on size of the Community and the number of certified officers employed by the City. The City of Aztec is eligible for \$28,400. This is a grant we have been receiving for years.

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

- There is no cost to the City to receive these funds.

SUPPORT DOCUMENTS: Law Enforcement Protection Fund Grant Application

DEPARTMENT'S RECOMMENDED MOTION: Approve the Mayor's Signature on the Law Enforcement Protection Fund Grant Application.



City of Aztec Police Department
Chief Michael J. Heal
201 West Chaco
Aztec, New Mexico 87410
Phone (505) 334-7620 Fax (505) 334-7629

February 20, 2019

Local Government Division
Attn: Jolene Gonzales
Department of Finance and Administration
Bataan Memorial Bldg., Room 201
Santa Fe, New Mexico 87501

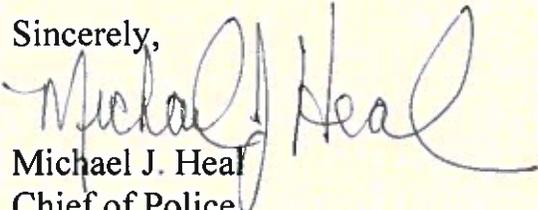
RE: Law Enforcement Protection Fund

Ms. Gonzales;

Enclosed please find the following application for the 2019 Law Enforcement Protection Fund. If you need additional information or need further assistance, please contact me at (505) 334-7620.

Thank you,

Sincerely,


Michael J. Heal
Chief of Police
Aztec Police Department

Enclosures
/mjh/

APPLICATION FOR LAW ENFORCEMENT PROTECTION FUNDS
FOR CLASS 1 MUNICIPALITIES AND COUNTIES
PURSUANT TO CHAPTER 29, ARTICLE 13 NMSA 1978
FOR THE JULY 1, 2019 - JUNE 30, 2020 FISCAL YEAR

I. Municipality or County: City of Aztec

II. Computation of Proposed Distribution:

A. Class 1 (Population per 2010 Census = 0 to 20,000) \$20,000

B. Total Number of Full-Time Certified Police Officers or Sheriff Deputies 14 multiplied by \$600(**): 8,400⁰⁰
 $\underline{14} \times \$600 =$

(*) Each officer or Deputy listed on Supplemental Schedule (page 2) must be certified by the New Mexico Police Academy pursuant to Section 29-7-8 NMSA or authorized as a New Mexico Peace Officer pursuant to Section 29-1-11 NMSA. Certification status of officers for whom the award is requested must be current on the March 31, 2019 DPS Registry or officers must be enrolled in the New Mexico Police Academy with an anticipated graduation date prior to or on July 1, 2019.

C. Total Requested Distribution** (A + B) 28,400⁰⁰

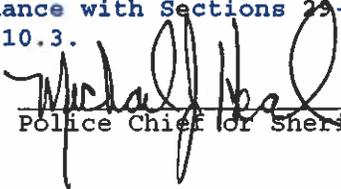
III. Amounts distributed from the Law Enforcement Protection Fund must be expended only for the purposes allowed by Section 29-13-7 NMSA 1978. Itemize the proposed use of these funds below:

A. Repair and purchase of law enforcement apparatus and equipment (itemized schedule, page 3, must be completed) ¹ which meet minimum nationally recognized standards. (Please Note: regular maintenance on vehicles and police equipment; office furniture and supplies; or operating expenses are not allowable expenses) Rule 2 NMAC 110.3	\$ 20,000 ⁰⁰
B. Expenses associated with advanced law enforcement planning and training.	8,400 ⁰⁰
C. Complying with match or contribution requirements for the receipt of federal funds relating to criminal justice programs.	
D. No more than fifty percent (50%) of the replacement salaries of law enforcement personnel participating in basic law enforcement training.	
E. New Mexico Finance Authority Loan Intercept Agreement.	
F. TOTAL REQUESTED EXPENDITURES**	\$ 28,400⁰⁰

**Total Requested Expenditures (Section III) must equal Total Requested Distribution (Section II).

IV. **CERTIFICATION:** Under penalty of law, we hereby certify that to the best of our knowledge and belief, the information contained in this application is correct, and that all expenditures of Law Enforcement Protection Fund monies will be made in accordance with Sections 29-13-7 and 29-13-9 NMSA 1978 as well as Rule 2 NMAC 110.3.

Mayor/Chairman


Police Chief or Sheriff

Date

¹ Pertains only to municipalities with a population of 1500 or less and universities.

(**) Per officer rate is based on current law as of 2/13/19.

Staff Summary Report

MEETING DATE: February 26, 2019
AGENDA ITEM: X. CONSENT AGENDA (H)
AGENDA TITLE: Special Budget Resolution 2019-1118

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

PROJECT DESCRIPTION / FACTS

NM DFA: New Mexico Department of Finance and Administration

- The Police Department has aging and high mileage vehicles which could inhibit the department's ability to perform daily operations and timely response to public safety emergencies. A review of current revenue receipts, specifically gross receipts, identifies actual tax receipts have exceeded General Fund budget projections for July 2018 through January 2019 by \$230,000. The Finance Department recommends a budget resolution which would recognize \$80,000 of the increased tax revenues and establish a budget for the purchase and equipping of two police interceptor vehicles for the department. The Department will review available budgeted funds to supplement this budget adjustment with the possibility of purchasing a third vehicle in this fiscal year.
- Animal Care and Control is the beneficiary of the generosity of the public and various organizations in the form of monetary and non-monetary contributions. During the current fiscal year, as of February 13, 2019, the cash contributions are projected to exceed the established budget. The conservative estimate is actual contributions will exceed the budget by \$15,000; based on the monthly average of contributions, July to January, actual contributions may exceed budget by \$25,000. Animal Care and Control has need for additional funding for medical supplies and services for animals through the end of the fiscal year and has requested \$15,000 be made available to the department this current year.
- To make the funds available to the department, it is necessary for a special budget resolution be approved by the City Commission and NMDFA Local Government Division.
- The budget adjustment includes:

<u>Description</u>	<u>City Account Number</u>	<u>LGBMS Acct Number</u>	<u>Budget Increase</u>
GRT – Municipal Local Option	101-0000-31200	11000-0001-41250	\$40,000
GRT Shared – Municipal Equivalent Distribution	101-0000-31210	11000-0001-42401	\$40,000

<u>Description</u>	<u>City Account Number</u>	<u>LGBMS Acct Number</u>	<u>Budget Increase</u>
Donations Rec'd – Animal Care	101-5210-36217	11000-0001-46010	\$15,000
Capital – Vehicles (Police)	101-2210-83300	11000-3001-58080	\$80,000
Animal Supplies (Donations)	101-5210-51151	11000-3004-56020	\$15,000

- Tax revenues which exceed budget for the remainder of this fiscal year will be retained in the General Fund cash reserve. Animal Care contributions which exceed budget for the remainder of this fiscal year will be available to the department for the FY20 budget process.

SUPPORT DOCUMENTS: Resolution 2019-1118

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Special Budget Resolution 2019-1118

Resolution 2019-1118
State Of New Mexico, City Of Aztec
2018-2019 SPECIAL BUDGET ADJUSTMENT, 105th FISCAL YEAR

WHEREAS, the Governing body in and for the City of Aztec, State of New Mexico has developed needs to adjust the current approved budget for fiscal year 2018-2019, and

WHEREAS, General Fund revenues, specifically gross receipts tax revenues and animal care contributions, have exceeded budget projections for July 2018 through January 2019; and

WHEREAS, the Police Department requires replacement of aging and high mileage vehicles; and

WHEREAS, the Animal Care and Control Department requires funds for supplies and services provided to the animals in their care; and

WHEREAS, the General Fund will be adjusted as follows:

<u>Description</u>	<u>City Account Number</u>	<u>LGBMS Acct Number</u>	<u>Budget Increase</u>
GRT – Municipal Local Option	101-0000-31200	11000-0001-41250	\$40,000
GRT Shared – Municipal Equivalent Distribution	101-0000-31210	11000-0001-42401	\$40,000
Donations Rec'd – Animal Care	101-5210-36217	11000-0001-46010	\$15,000
Capital – Vehicles (Police)	101-2210-83300	11000-3001-58080	\$80,000
Animal Supplies (Donations)	101-5210-51151	11000-3004-56020	\$15,000

WHEREAS, the official meeting for the review of this special budget resolution was duly advertised on January 22, 2019, Resolution 2019-1114, and February 26, 2019, Commission Meeting Agenda, in compliance with the State Open Meetings act, and

WHEREAS, it is the majority opinion of this Commission that the adjusted budget meets the requirements as currently determined for fiscal year 2018-2019,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the City of Aztec, State of New Mexico, hereby adopts the budget adjustment herein above described and respectfully requests approval from the Local Government Division of the Department of Finance of Administration.

RESOLVED: In session this 26th day of February, 2019.

MUNICIPAL GOVERNING BOARD AZTEC, NEW MEXICO

Mayor Victor C. Snover

Mayor Pro-Tem Rosalyn A Fry

Commissioner Mark E. Lewis

Commissioner Austin R. Randall

Commissioner Sherri A. Sipe

ATTEST:

Karla Sayler, City Clerk

Staff Summary Report

MEETING DATE: February 26, 2019
AGENDA ITEM: XII. BUSINESS ITEM (A)
AGENDA TITLE: To Retain Or Sell Real Property, Located At 119 E Chuska St, 119 S Church Ave, Aztec NM 87410; Otherwise Known As The HUB – Business Incubator

ACTION REQUESTED BY: City Staff
SUMMARY BY: City Staff

PROJECT DESCRIPTION / FACTS

The HUB is designed to offer training and support to the business community throughout the four corners region. The HUB has four small office spaces for lease, three of which are on the second (2nd) floor and accessible by a separate entrance. These businesses sign annual leases and or purchase an annual membership. Another user group includes businesses that want to connect with corporate headquarters or other business partners using a professional setting and teleconferencing equipment. Aztec is the seat of San Juan County and home to the many courtrooms that serve the legal and criminal justice systems. The HUB provides space ideal for attorneys, mediators, or counselors, who may need access to the buildings or its resources.

The HUB provides small office lease space, office support services, open workspace with internet access via wired and WI/FI connection to Aztec's fiber-optic network. In addition, the HUB offers teleconference space for real-time meetings. A larger suite (950 sq. ft.) is available for retail lease space. Individual access to the HUB is designed by membership rates. These rates vary depending on the need or duration.

In 2015 the City of Aztec evaluated ways to encourage entrepreneurs and startups to collaborate with the Small Business Development Center and San Juan College Enterprise Center, in hopes of developing and preparing small and startup businesses. Several existing organizations offer free assistance with business planning and training. The goal of the HUB is to improve the understanding of standard business practices, requirements, costs, constraints, and typical expectations. There is a cycle of startups opening and then quickly closing within six (6) months to a year. With proper training and in some cases, incubation, the City believes business ventures are more successful if they were better prepared before opening the business.

On November 28, 2017, the City Commission approved the purchase of the property located at 119 E Chuska St/119 S Church Ave. for \$135,230. There are mandatory Americans with Disabilities Act (ADA) improvements needed for the building, should the City continue operations at the said property. These building improvements are estimated at \$30,000.00. The remodel should take place in the spring or summer of 2019. The estimated duration of the remodel is one to two months.

Additional resources and funds are vital for the prosperity of the HUB. At a minimum, a full-time employee and part-time employee are required. Currently, \$64,000.00 is budgeted for personnel. An additional part-time employee will likely exceed the personal budget. Also, dedicated funds for programming, training, maintenance, and marketing are vital should the HUB achieve its mission of assisting businesses. The HUB Business Incubator is a service to the community and its unlikely revenue will exceed costs, evident in financial numbers from FT 2016 to FT 2019. Furthermore, costs will likely increase with a dedicated employee and service operations.

On 2/21/2019, the Economic Development Advisory Board recommended the City consider selling the property if the proceeds are funneled back into economic development or assisting businesses.

SUPPORT DOCUMENTS: HUB Financial Numbers

DEPARTMENT'S RECOMMENDED MOTION: Move to retain or sell real property, located at 119 E Chuska St, 119 S Church Ave, Aztec NM 87410; otherwise known as the HUB – Business Incubator.

Staff Summary Report

MEETING DATE:	February 26, 2019
AGENDA ITEM:	Business Item
AGENDA TITLE:	Aztec Teen Center Discussion

ACTION REQUESTED BY:	City Manager
ACTION REQUESTED:	Direction as to purpose or disposition of property
SUMMARY BY:	Staff

PROJECT DESCRIPTION / FACTS

The Aztec Boys and Girls Club (Club), several years ago, was located in the building located at 107 Simonds Road. After the new facility was constructed on Ash St (1998), the Club identified the building to be used for a Teen Center. Due to the deterioration of the building, legislative funds were appropriated to the City for improvements to the Simonds Road building. However, a requirement of the legislative appropriations was the building must be owned by the City. In 2002, the Club deeded the building to the City and entered into a 20 year agreement to operate the facility as a teen center. The agreement required the Club to be fully responsible for all maintenance, repair and replacement necessary to the facility. With the declining economy, the Club has been unable to maintain the facility and continue to operate as a Teen Center. The Club has not operated in the facility since approximately 2014. The Club advised the City in approximately 2012 of water damage sustained in a portion of the building due to mechanical problems with the boiler and that the Club would be unable to complete the necessary repairs. The City and Club attempted to identify means in which the building could be deeded back to the Club, however, there is no mechanism available to accomplish that without the building and property being declared surplus. The City took over the building in summer 2018 and with the exception of electricity; the utilities to the building have been turned off and the building is vacant. Staff is concerned that a vacant building will deteriorate quickly and become a nuisance within the neighborhood. Due to limited funds, City staff is hesitant to consider any repairs to the facility without a determination of use. Staff has identified storage as the purpose with the least expense associated – bay doors would be installed in the gym facility and the other areas would be demolished (water damaged areas). Other ideas which would require additional funding both to renovate and operate included a recreational facility and community facility (trainings, events, indoor market, etc.). Parking is an issue if the facility was repurposed to these types of facilities. The property would require rezoning to allow the City to utilize for any of these uses.

A market appraisal has been completed on the property and is extremely high (\$400,000). This value is based on potential uses of the facility not necessarily the current value of the property recognizing zoning, parking limitations, and necessary repairs/renovations to the facility. The building is a total of 12,609 sq ft; 3,609 sq ft is the area water damaged and 9,000 sq ft is the gymnasium addition.

PROCUREMENT / PURCHASING (if applicable)

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

The City has limited expenses in the current fiscal year specific to the Simonds property approximately \$8,000 – utilities, property insurance, appraisal and spring weed control spraying. There are no funds currently budgeted for building maintenance, property management, staffing, or renovation. If the Electric Department were to utilize the facility for storage, the estimate is \$15,000 for modifications to the building for bay door installation. Staff has not developed estimates for demolition of the old office area.

SUPPORT DOCUMENTS:

DEPARTMENT'S RECOMMENDED MOTION:

Move to keep the Aztec Teen Center for use by the Aztec Electric Department for storage facility.
