

**AG E N D A**  
**CITY OF AZTEC**  
**CITY COMMISSION MEETING**  
**January 28, 2020**  
**201 W. Chaco, City Hall**  
**6:00 p.m.**

**I. CALL TO ORDER**

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

United States Pledge of Allegiance

New Mexico Pledge of Allegiance

I Salute the Flag of the State of New Mexico and the Zia Symbol of Perfect Friendship among United Cultures

**III. ROLL CALL**

**IV. APPROVAL OF AGENDA ITEMS**

**V. CONSENT AGENDA**

- A. Commission Workshop Meeting Minutes January 14, 2020
- B. Commission Meeting Minutes January 14, 2020
- C. Resolution 2020-1170 Governing Body Meetings and Public Notice
- D. Resolution 2020-1171 Authorizing Opening and Closing of Time Certificate of Deposit for City of Aztec
- E. Economic Development Board Member Appointment
- F. Consideration of Letter of Support for SB57 (Pet Food Fee for Neutering and Sheltering)

*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"*

**VI. ITEMS REMOVED FROM CONSENT AGENDA**

**VII. PRESENTATIONS**

**VIII. CITIZENS INPUT (3 Minutes Maximum)**

**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.

**IX. BUSINESS ITEMS**

- A. Final Adoption of Ordinance 2019-499 An Ordinance Authorizing the Sale of Certain Municipal Owned Property Commonly Known as 119 E Chuska Street/119 S Church Avenue
- B. Resolution 2020-1172 FY20 Mid-Year Budget Adjustments

**X. QUASI JUDICIAL HEARINGS (LAND USE)**

**XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS**

**XII. 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 January 14, 2020  
4

5 **I. CALL TO ORDER**

6 Mayor Snover called the Workshop to order at 5:15 pm at the Aztec City  
7 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.  
8

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

13 MEMBERS ABSENT: NONE  
14

15 OTHERS PRESENT: City Manager Steve Mueller; Finance Director  
16 Kathy Lamb; Project Manager Ed Kotyk; City  
17 Clerk Karla Saylor  
18

19 **A. FY2020 Mid-Year Budget Adjustments**  
20

21 Steve Muller opened up the workshop and mentioned that the budget is looking  
22 good but we do have some changes that we need to make and adjustment to face the  
23 end of the year. He mentioned it is positive and we are in decent shape.  
24

25 Kathy presented worksheets with proposed adjustments to the budget to  
26 commission and reviewed the following items:  
27

- 28 • Increases of .25 would occur in February 2020 to employees to maintain
- 29 the pay plan with the new minimum wage requirements
- 30 • PERA increases for Employers and Employees
- 31 • Payout to Judge in April
- 32 • Animal Care for a new benefited position
- 33 • HUB utility costs
- 34 • Economic Development outdoor recreation \$15,000
- 35 • MVD concrete repair
- 36 • Hold Harmless
- 37 • Technology risk assessment
- 38 • Hartman Park utility meter
- 39 • Golf Course
- 40 • Senior Center
- 41 • Detention Center Bill
- 42 • Purchase mowers for General Services
- 43 • Replace alarm pane for Boys and Girls Club  
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**II. ADJOURNMENT**

Moved by Mayor Snover to adjourn the meeting at 5:55 p.m.

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Mayor, Victor C. Snover

ATTEST:

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Karla Sayler, City Clerk

MINUTES PREPARED BY:

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Sherlynn Morgan, Administrative Assistant

1  
2 CITY OF AZTEC  
3 COMMISSION MEETING MINUTES  
4 January 14, 2020  
5

6 **I. CALL TO ORDER**  
7

8 Mayor Victor Snover called the Meeting to order at 6:01 pm at the Aztec City  
9 Commission Room, City Hall, 201 W. Chaco, Aztec, NM.  
10

11 **II. INVOCATION AND PLEDGE OF ALLEGIANCE**  
12

- 13 A. Invocation (led by Commissioner Randall)
- 14 B. United States Pledge of Allegiance (led by Mayor Snover)
- 15 C. New Mexico pledge of Allegiance (led by Mayor Snover)

16 **III. ROLL CALL**  
17

18 Members Present: Mayor Victor Snover; Mayor Pro-Tem Fry;  
19 Commissioner Sipe; Commissioner Austin Randall;  
20 Commissioner Mark Lewis  
21

22 Members Absent: None  
23

24 Others Present: City Manager Steve Mueller; City Attorney Tyson Gobble;  
25 Project Manager Ed Kotyk; City Clerk Karla Sayler (see  
26 attendance sheet)  
27

28 **IV. APPROVAL OF AGENDA ITEMS**  
29

30 MOVED by Commissioner Sipe to approve the agenda as given;  
31 SECONDED by Commissioner Lewis  
32

33 All voted Aye: Motion passed five to zero  
34

35 **V. CONSENT AGENDA**  
36

- 37 A. Commission Meeting Minutes December 17, 2019
- 38 B. Commission Special Meeting Minutes January 7, 2020
- 39 C. ITB 2020-727 30' Valmont Deco Poles w/Double Arms
- 40 D. Resolution 2020-1168 Authorizing Opening and Closing of Time Certificate of  
41 Deposit for City
- 42 E. Resolution 2020-1169 Municipal Surplus
- 43 F. Aztec Motocross Agreement  
44  
45

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

48  
49            All voted Aye: Motion passed five to zero

50  
51    **VI. ITEMS REMOVED FROM CONSENT AGENDA**

52  
53            NONE

54  
55    **VII. PRESENTATIONS**

56  
57            A. Aztec Sparkles Lighting Awards

58  
59            Ed Kotyk presented the winners for the weekly online voting and Commissioners  
60            Choice.

61            Residential Winners: 1011 Rio Hondo, 407 Heiland Road (Charles Dobey), 905  
62            Mountain View Drive, 706 French Drive (Ken George)

63  
64            Commercial Winners: Aztec Feed and Supply, Soaps on Main, Kare Drug, Ruins  
65            Road RV Park

66  
67            Commission Choice: District 1 was 908 Mountain View; District 2 was 1140  
68            Graceland Drive; District 3 was 400 Rio Grande Ave.; District 4 was 500 Western Circle;  
69            District 5 was 3112 Hatley Court.

70  
71            Mayor Snover and Commissioner Sipe thanked everyone for participating and  
72            said that the town looked great.

73  
74    **VIII. CITIZENS INPUT (3 Minutes Maximum)**

75  
76            Joshua Large with the Chamber of Commerce mentioned that they would be  
77            having a candidate forum at the Senior Center on Feb. 18<sup>th</sup> at 6 pm. He also mentioned  
78            that the Chamber is functioning again.

79  
80            Gail Aspermonte mentioned that she was a former Mayor and Commissioner.  
81            She mentioned that she was Mayor for 8 years and she just wanted to voice concerns  
82            about running a business in Aztec, she asked Commission to have the Planning and  
83            Zoning rework the whole code. She says you fight the City with signs in front of  
84            business and it is impossible to run a business without a sign. She also mentioned that  
85            she supports the Church on Main St.

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91 **IX. BUSINESS ITEMS**

- 92
- 93 A. Letter of Support for Grant Application for Carbon Capture for San Juan
- 94 Generating Station
- 95

96 City Manager Steve Mueller mentioned that NM Tech University and Enchant

97 Energy are wanting to be co-applicants on a US Department of Energy Grant

98 application. They are requesting a letter of support from Commission on the grant

99 application. Dr. Robert Balch and Raven Goshwick gave a presentation on the grant

100 and answered questions for Commission. He mentioned that they have permission from

101 land owners, surface rights owners and mineral right holders in order to drill and run

102 core samples and other tests.

103

104 Mayor Pro-Tem Fry requested changes in the letter. She explained that the

105 changes don't change the context of the letter. She read the changes and she also

106 added the addition of a quarterly report because this is a big project and feasibility

107 study.

108

109 MOVED by Mayor Pro-Tem Fry to Approve the Amended Letter of Support for

110 Grant Application for Carbon Capture for San Juan Generating Station SECONDED by

111 Commissioner Sipe

112

113 A Roll Call was taken; All voted Aye: Motion passed five to zero

114

- 115
- 116 B. Final Adoption of Ordinance 2019-497 Amending Chapter 27, Article II Lodgers
- 117 Tax
- 118

119 City Manager Steve Mueller mentioned that the intent was presented on November

120 26<sup>th</sup> and we have not received any comments or concerns.

121

122 MOVED by Commissioner Randall to Approve Final Adoption of Ordinance 2019-

123 497 Amending Chapter 27, Article II Lodgers Tax SECONDED by Commissioner Lewis

124

125 A Roll Call was taken; All voted Aye: Motion passed five to zero

126

- 127
- 128 C. Final Adoption of Ordinance 2019-498, An Ordinance Amending Chapter 26,
- 129 Articles III and IV
- 130

131 City Manager Steve Mueller mentioned that the intent to adopt was on the

132 December 17 meeting and he has not received any comments or concerns.

133

134           MOVED by Commissioner Sipe to Approve Final Adoption of Ordinance 2019-498,  
135 An Ordinance Amending Chapter 26, Articles III and IV SECONDED by Commissioner  
136 Randall

137  
138           A Roll Call was taken; All voted Aye: Motion passed five to zero

139  
140 **X.   QUASI JUDICIAL HEARINGS (Land Use)**

141  
142           Mayor Snover read the land use script and asked if any Commissioners had any  
143 conflicts, personal bias or ex-parte communication to declare. There were none. He  
144 swore in all parties that wished to testify on either hearing.

145  
146           A. Zone Change 19-04 From C-2 to O-1 For Property Located at 100 Simonds  
147 Rd.

148  
149           Community Development Director Steven Saavedra explained that this zone  
150 change is for 100 Simmons Road, it is currently located in a C-2 district and applicant is  
151 want to change it to O-1 district. The property owner Jason Quigley is represented by  
152 Kristin Johnson. The property is approximately 0.11 acres and the request comes  
153 before Commission because the property owner seeks to sell the property. As it stands  
154 right now the use is residential and the zoning is commercial, the two do not align and  
155 as a result financial institutions and lending companies are not comfortable lending  
156 money when the zoning and the use do not align. If this house is substantially damaged  
157 it cannot be rebuilt because of the zoning. This area has been zoned commercial for  
158 decades. When the property owner purchased the property in 2009 it was zoned C-2  
159 and there was a pregnancy center business in there. At the time Mr. Quigley's relator  
160 told him he could use it as residential and that is not the case. This zone change not  
161 only affects the Quigley property but those around him. They could consider a  
162 conditional use permit, this is discouraged because it does not transfer with the new  
163 owner and it does not accomplish a goal.

164  
165           Jason Quigley mentioned that he is currently renting the property to a disabled  
166 veteran who is also interested in purchasing the property. He presented Commission  
167 with information that he had received from Gordon Crane which he was given from the  
168 zoning office that is very specific and he was cautioned about putting a resident in the  
169 property because he would never be able to use it as commercial again. He presented  
170 tax bills all the way back from 2009 where he has been paying on it as residential. He  
171 also mentioned that this whole spot on Simonds Road is called the Simmons Housing  
172 Subdivision. His first appraisal says it's residential and the 2014 appraisal also says  
173 residential. He explained that this is creating a hardship for him because he can't sell  
174 the property. He does not understand why we are so hung up on a theoretical business  
175 that is probably never going to be there.

176  
177           Terry the resident that is in there and wants to purchase the home explained that  
178 the house is set up exactly how he wants and needs his home to be set up, he has

179 everything close because he doesn't drive, he has a security system set up and he  
180 prefers not to have to move again and be put under additional stress. He is 100%  
181 disabled from the military.

182  
183 Commission moved into the discussion part of the hearing. Steven Saavedra  
184 cautioned Commission about setting the precedence and who else is going to want a  
185 zone change. Commission discussed that this was a hard decision and we could be  
186 putting ourselves into a legal situation. The property that came before Commission in  
187 October that was in the same situation could come back and say the Commission was  
188 bias. Mayor Snover mentioned that they are similar and precedence setting and he  
189 does not like to clean up previous messes. He stated that this Commission needs to be  
190 consistent. Commissioner Sipe mentioned that we have the option to postpone for  
191 further information. The way it is now the house can't be sold but the resident could still  
192 stay there. The hearing was closed to discussion.

193  
194 MOVED by Commissioner Randall to Approve zone change 19-04, a request  
195 from Jason Quigley, for a zone change from the C-2 District to the O-1 Office and  
196 Institutional District for property located at 100 Simonds Road, Aztec, NM SECONDED  
197 by Commissioner Sipe

198  
199 A Roll Call was taken; All voted Nay: Motion denied five to zero  
200

201 B. Conditional Use Permit to Allow For A Church in a C-1 District, For Property  
202 Located at 222 N. Main Ave.

203  
204 Community Development Director Steven Saavedra explained this is a  
205 conditional use permit request to allow a Church in a C-1 District. The C-1 district does  
206 not allow churches by right. In the fall of 2019 New Harvest Church was located on  
207 South Main Ave. which is also a commercial district, there was a fire which forced them  
208 to relocate. They relocated at 222 North Main Ave. Community Development was made  
209 aware of this when the Pastor of the Church came in to get a sign permit. This is in the  
210 MRA plan as a C-1 property. He went through the staff summary. He stressed the MRA  
211 which the Commission approved. He cautioned them about ramifications in the future.  
212 Businesses who would want to sell alcohol could ask for a waiver but those that are  
213 dispensaries cannot get a waiver at all.

214  
215 Mr. Bost mentioned that he is aware of the situation. It was his misunderstanding  
216 that led him to put the church in the location where it is. He grew up in this community.  
217 The church looks better now than it did when they moved in. He does pull people from  
218 outside of Aztec. He does not object to businesses with alcohol or even a dispensary.  
219 He received letters of support from Main Street Music and NAPA. They want to be  
220 supportive active members of the community. They have the doors open whenever  
221 there is an event going on downtown. The building is leased for 1 year with an option to  
222 renew. They currently have 25 – 30 members enrolled in the church.

223

224 Mr. Miera agreed with Mr. Bost, he feels that they are a business and they would  
225 like to stay on Main so that they have visibility in the community. They want to see the  
226 downtown grow.

227  
228 Mr. Payne owns Premier Fitness was present and testified that he is in support of  
229 the church. They have no negative impact on his business. He feels that they have an  
230 impact on the downtown corridor.

231  
232 The hearing was closed to testimony and opened up to discussion from  
233 Commission. Commissioner Sipe does not feel that it would be a problem for them to  
234 stay and she feels that it is better than for it to be vacant and Commissioner Randall felt  
235 the same except he doesn't feel that we should put all the conditions on them listed in  
236 the staff summary recommended by staff. Commissioner Lewis approves of the  
237 conditions and wants to know how it would affect a dispensary. The Mayor feels that we  
238 need to think long term and does this fit within the MRA and what is typically on a Main  
239 Street. The MRA does not consider this as an economic benefit to the downtown.  
240 Commissioner Sipe disagrees because those buildings have been empty for years and  
241 it now looks like someone is taking care of the one store front. Mayor Pro-Tem Fry  
242 would like to know what EDAB thinks, she would like to table it and get an opinion for  
243 EDAB to weigh in.

244  
245 The hearing was closed to discussion.

246  
247 MOVED by Commissioner Randall to Approve CUP 19-02 a request from Danny  
248 Bost for a conditional use permit to allow a church in the C-1 district at 222 N. Main Ave,  
249 without conditions SECONDED by Commissioner Sipe

250  
251 A Roll Call was taken; Commissioner Randall and Commissioner Sipe voted Aye;  
252 Mayor Snover, Mayor Pro-Tem Fry and Commissioner Lewis voted Nay: Motion denied  
253 three to two

254  
255 MOVED by Commissioner Sipe to Table CUP 19-02 a request from Danny Bost  
256 for a conditional use permit to allow a church in the C-1 district at 222 N. Main Ave, until  
257 it is discussed with the EDAB Board and was SECONDED by Mayor Pro-Tem Fry

258  
259 A Roll Call was taken; Commissioner Lewis, Sipe and Mayor Pro-Tem Fry voted  
260 Aye; Mayor Snover and Commissioner Randall voted Nay: Motion passes three to two

261  
262 **XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS**

263  
264 City Manager Steve Mueller mentioned he had received a couple of positive  
265 comments about the street sweeping. He attended his first Chamber meeting this  
266 morning they are trying to get organized and move forward. He will be in Gallup for the  
267 COG meeting tomorrow and next Thursday he will be in Albuquerque for the Safety  
268 Council Safety Training.

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City Attorney Tyson Gobble attended law classes in Albuquerque last week.

Commissioner Sipe has EDAB meeting on Thursday and MPO meeting on the 23<sup>rd</sup>, and NWNM Seniors board meeting on the 24<sup>th</sup>.

Commissioner Randall mentioned that LTAB was canceled for January. He attended Library Board meeting last week.

Mayor Pro-Tem Fry attended SJC Partnership meeting, the new director will start on March 1<sup>st</sup>. She attended the Economic forum at San Juan College and San Juan Communities.

Mayor Snover mentioned he has ECHO and Airport Board next week. He wished the candidates who are running in the upcoming election good luck. He will be absent for the next meeting.

**XII. ADJOURNMENT**

Mayor Snover moved to adjourn the meeting at 8:50 pm **SECONDED** by Commissioner Sipe

\_\_\_\_\_  
Mayor, Victor Snover

ATTEST:

\_\_\_\_\_  
Karla Sayler, City Clerk

MINUTES PREPARED BY:

\_\_\_\_\_  
Sherlynn Morgan, Administrative Assistant

# Staff Summary Report

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<b>MEETING DATE:</b>	January 28, 2020
<b>AGENDA ITEM:</b>	V. CONSENT AGENDA (C)
<b>AGENDA TITLE:</b>	Resolution 2020-1170 Concerning the Governing Body Meetings and Public Notice Requirements

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<b>ACTION REQUESTED BY:</b>	Karla Sayler, City Clerk
<b>ACTION REQUESTED:</b>	Approve Resolution 2020-1170
<b>SUMMARY BY:</b>	Karla Sayler

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## PROJECT DESCRIPTION / FACTS

- The Governing Body of each municipality is required to determine, at least annually, in a public meeting, reasonable notice provisions for public meetings of the public body. This is done by resolution.
- Once approved, the Resolution will be advertised in its entirety in the legal section of the Local Newspaper (state law).
- If there are any future legislative changes regarding public meetings we will need to amend the resolution.

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<b>SUPPORT DOCUMENTS:</b>	Resolution 2020-1170
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<b>DEPARTMENT'S RECOMMENDED MOTION:</b>	Move to Approve Resolution 2020-1170 Concerning the Governing Body Meetings and Public Notice Requirements
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**CITY OF AZTEC**

**RESOLUTION 2020-1170**

**A Resolution Concerning the Governing  
Body Meetings and Public Notice Required**

**WHEREAS,** the Aztec City Commission, is a policy making body as defined in the New Mexico Open Meetings Act (N.M.S.A. 1978, Section 10-15-1 et seq.); and

**WHEREAS,** Section 10-15-1B, NMSA 1978 provides that “all meetings of a quorum of members of any board, commission or other policy-making body of any state agency, or agency or authority of any county, municipality, district or any political subdivision held for the purpose of taking any action within the authority of or the delegated authority of such board, commission or the policy-making body, is declared to be public meetings open to the public at all times, except as otherwise provided in the constitution or the provision of the Open Meetings Act”; and

**WHEREAS,** Section 10-15-3A, NMSA 1978 provides that “No resolution, rule, regulation, ordinance or action of any board, commission, committee, or other policy making body shall be valid unless taken or made at a meeting held in accordance with the requirements of Section 10-15-1 NMSA, 1978,” and

**WHEREAS,** Section 10-15-4, NMSA 1978 provided that “Any person violating any of the provisions of Section 10-15-1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars (\$500.00) for each offence,” and

**WHEREAS,** Section 10-15-1D, requires that “Any meeting at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs, and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public.

**WHEREAS,** all public bodies are required to determine, at least annually, in a public meeting, reasonable notice provisions for public meetings of the public body;

**NOW, THEREFORE, BE IT RESOLVED** that the Aztec City Commission, of Aztec, New Mexico, adopts the following open meeting policy: (All Aztec Advisory Boards and Committees will follow the requirements as stated)

1. The regularly scheduled meetings of the governing body will be held at 6:00 p.m., second and fourth Tuesday of each month and the Commission Organizational Meetings will be held on an as-needed basis in the Commission Room of City Hall located at 201 West Chaco in Aztec. If there is a need for a special workshop or meeting it will be scheduled according to need. In the event that the regular meeting date falls on a legal holiday or Election Day, the governing body may cancel or designate an alternate meeting date and shall cause advance notice of the change to be published or posted as provided in this resolution. In the event that a regular meeting of the governing body is changed to a different location, advance notice of the meeting location shall be published as provided in this resolution.
2. Notice of all meetings shall be available at City Hall, 201 W Chaco, Aztec, New Mexico and on the City's website. Notice of all meetings shall be given to all broadcast stations licensed

by the Federal Communications Commission and newspapers of general circulation that have provided a written request for such notice.

3. Notice of all meetings shall include information on how the public may obtain a copy of a preliminary or final agenda. A final agenda for all meetings shall be available at City Hall and on the City's Website, no later than 72 hours preceding the meeting.
4. Special Meetings: Notice shall be given at least three (3) days in advance of any special meeting of a quorum of the members of the governing body, board, commission, committee, agency, authority or other policy-making body held for the purpose of discussing public business or taking any formal action with the authority of such body. An agenda shall be available to the public at least 72 hours prior to any special meeting.
5. Emergency Meetings: which demand immediate action to protect the health, safety, and property of citizens or to protect the public body from substantial financial loss shall be held as required, with as much advance notice as the emergency permits.
6. Telephone Conference: A member of the governing body or any board, commission, committee, agency or other policy-making body may participate in a meeting of the public body by means of a telephone conference or other similar communications equipment when it is otherwise difficult or impossible for the member to attend the meeting in person, provided that each member participating by telephone conference can be identified when speaking, and all participants are able to hear each other at the same time members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
7. Citizens Input: A maximum of three (3) minutes may be allowed during Citizens Input.
8. Presentations: A maximum of 10 minutes unless extended by the chair, will be allowed for each presentation. A copy of the presentation and/or any related documents, if available, shall be presented to the City Clerk prior to preparing the Commission packets.
9. Closed Meetings: Shall be held in the following manner:
  - 1) If the Commission is in an open meeting when a closed meeting is desired and authorized by the Open Meetings Act, then the closed meeting shall be approved on motion by a majority of a quorum of the City Commission, and the authority for closure shall be stated in the motion.
  - 2) If the Commission is not in a public meeting and a closed meeting is desired and authorized, public notice, appropriate under the circumstances, shall be given stating the authority for the closure.
  - 3) Following completion of any closed meeting, the minutes of the open meeting as closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
10. Minutes: Once transcribed, all minutes produced, as a result of open meetings will be open for public inspection. Recordings are recycled or destroyed 30 days after the minutes are approved with the exception of *Public Hearings*.

11. All meetings shall be conducted in accordance with accepted parliamentary procedures.
12. All Aztec Advisory Boards and Committees will follow the requirements as stated above.
13. Agendas for all Aztec Advisory Board and Committee meetings shall be prepared by City Staff in conjunction with the Chair of the particular Board or Committee.
14. Aztec Advisory Board and Committee meetings are scheduled as follows:

Airport Advisory Board. Meets the Third Monday of the first month of each quarter (January, April, July and October) at 4:30 pm. Meeting held in the Commission Room at City Hall.

Library Advisory Board. Meets the second Wednesday of January, March, May, July, September, and November at 5:30 p.m. Meeting held at the Aztec Public Library.

Lodger's Tax Advisory Board. Meets the third Monday of January, March, May, July, September and November at 2:00 p.m. Meeting held in the Commission Room at City Hall.

Economic Development Advisory Committee. Meets the third Thursday of each Month at 8:00 a.m. Meeting held in the Commission Room at City Hall.

**PASSED, APPROVED AND ADOPTED this 28th day of January, 2020.**

CITY OF AZTEC

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Mayor Victor Snover

ATTEST:

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Karla Sayler, City Clerk

# Staff Summary Report

**MEETING DATE:** January 28, 2020  
**AGENDA ITEM:** V. CONSENT AGENDA (D)  
**AGENDA TITLE:** Resolution 2020-1171 Authorizing Opening and Closing of Time Certificate of Deposit for City

**ACTION REQUESTED BY:** Finance Department  
**ACTION REQUESTED:** Approve Resolution 2020-1171 Authorizing Opening and Closing of Time Certificates of Deposit for City  
**SUMMARY BY:** Kris Farmer

<b>PROJECT DESCRIPTION / FACTS</b>
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- The banks and independent auditors have asked that formal action be taken to open and close investments.
- The Finance Department solicited all approved depositories (Resolution 2018-1095) for interest rates on Tuesday, January 21, 2020, for 36 month certificate of deposit in the amount of \$75,000.00.
- These funds are specific to the security provided by Guzman Energy as required by the Purchase Power Agreement. These funds are not co-mingled with other city funds and are invested independently of other funds
- Rate quotes received

Financial Institution	Term	Rate	Earnings Projection
Citizens Bank	36 months	1.68%	\$3,780.00
Vectra Bank	36 months	1.25%	\$2,812.50
Four Corners Community Bank	No Response		
Bank of Southwest	No response		
Wells Fargo	No response		
High Desert Credit Union	36 month	1.75%	\$3,937.50
LGIP	30 day net yield	1.632%**	\$3,672.00

\*\* State Local Government Investment Pool (LGIP) 30 day net yield is based on today's (1/22/2020) earnings.

- The Finance Department recommends retaining the funds locally for a 36 month period at High Desert Credit Union. Funds are collateralized at 50% of the certificate (LGIP is not collateralized).

**PROCUREMENT**

- None

**FISCAL IMPACTS**

- Estimated interest earned at 1.75% for 36 months on \$75,000.00 is \$3,937.50

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**SUPPORT DOCUMENTS:** Resolution 2020-1171

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Resolution 2020-1171  
Authorizing Opening and Closing of Time Certificates of Deposit for City

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**CITY OF AZTEC  
RESOLUTION 2020-1171**

**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, or as superseded; and

**WHEREAS**, time certificate of deposit 5796244589, in the amount of \$75,000.00, interest rate of 2.05% for 12 months is expiring January 30, 2020, at Vectra Bank, Farmington NM; and

**WHEREAS**, City of Aztec, New Mexico, Finance department solicited all banks authorized as designated depositories of said City per Resolution 2018-1095, or as superseded, for the term of 36 months; High Desert Credit Union, Aztec, New Mexico offered an interest rate of 1.75% for 36 months

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY** of the City of Aztec, New Mexico, to close time certificate of deposit 5796244589 in the amount of \$75,000.00 at Vectra Bank, Farmington, New Mexico, on January 30, 2020, AND to open one time certificate of deposit 14320483 at High Desert Credit Union, Aztec, New Mexico, in the amount of \$75,000.00 interest rate of 1.75% for a 36 month period, beginning January 30, 2020, and to close this time certificate of deposit on its maturity date, January 30, 2023, at High Desert Credit Union, Aztec, New Mexico.

**PASSED, APPROVED, SIGNED AND ADOPTED** this 28<sup>th</sup> day of January 2020, by the Aztec City Commission, City of Aztec, New Mexico

\_\_\_\_\_  
Mayor Victor C. Snover

ATTEST:

\_\_\_\_\_

Karla Sayler, City Clerk CMC

# Staff Summary Report

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<b>MEETING DATE:</b>	February 11, 2020
<b>AGENDA ITEM:</b>	V. CONSENT AGENDA (E)
<b>AGENDA TITLE:</b>	Economic Development Advisory Board Appointment
<b>ACTION REQUESTED BY:</b>	Economic Development Advisory Board
<b>ACTION REQUESTED:</b>	Economic Development Board Member Appointment
<b>SUMMARY BY:</b>	Steven M. Saavedra, CFM – CZO

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## PROJECT DESCRIPTION / FACTS

City Code for Advisory Boards is as follows:

### **Sec. 2-481. Membership.**

The Economic Development Advisory Board shall be composed of seven (7) members qualified by training, experience, and ability to exercise sound and practical judgment on civic, social, economic and governmental affairs. The board shall be composed of the following:

1. An appointed representative from the Board or Staff of Four Corners Economic Development; and/or alternate representative from Four Corners Economic Development if the representative is unable to attend;
2. An appointed representative from the Board or Staff of the Aztec Chamber of Commerce and/or an alternate representative from Aztec Chamber of Commerce if the representative is unable to attend;
3. One (1) member of the financial community appointed by the governing body by a majority vote and/or an alternate representative from the financial community if the representative is unable to attend;
4. Two (2) members at large, at least one (1) representing the community, appointed by the governing body by a majority vote and/or an alternate representative from the community if the representative is unable to attend.

Of the three (3) members appointed to the board, they will have two-year terms. There shall be no limitation on the number of consecutive terms a member may serve on the Economic Development Advisory Board.

### **Sec. 2-482. Duties.**

The Economic Development Advisory Board is assigned the following duties:

1. Regular review of strategies and opportunities for economic development within the City.
2. Assist with the economic and community development planning for the City.
3. Recommend annually to the City Commission appropriations for economic development programs.
4. Develop and update annually a comprehensive strategic economic development plan.
5. Make recommendations to the governing body on applications for assistance for economic development projects.

Kelbe N. Tompkins as an voting member on behalf of representative from the financial community. Ms. Tompkins is currently the branch manager at Citizens Bank in Aztec, NM.

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**SUPPORT DOCUMENTS:** Letter of Interest

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**DEPARTMENT'S RECOMMENDED MOTION:** Motion to approve the appointment of Kelbe N. Tompkins to the Economic Development Advisory Board (EDAB).

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## **Economic Development Advisory Board**

**Kelbe N. Tompkins <KelbeT@cbrnm.com>**

**Fri 1/17/2020 4:58 PM**

**To: Steven Saavedra <ssaavedra@aztecm.gov>**

**Hi Steven,**

**I Kelbe Tompkins would like to be a member on the Economic Development Advisory Board. I am the Branch Manger at Citizens Bank.**

***Thank you,  
Kelbe N. Tompkins  
Citizens Bank  
Aztec Branch Manager  
(505) 566-4920***

# **Staff Summary Report**

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<b>MEETING DATE:</b>	January 28, 2020
<b>AGENDA ITEM:</b>	V. CONSENT AGENDA (F)
<b>AGENDA TITLE:</b>	Consideration of Letter of Support for Senate Bill 57 (Pet Food Fee for Neutering and Sheltering)

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<b>ACTION REQUESTED BY:</b>	Jessica Johnson – Chief Legislative Officer for Animal Protection of New Mexico
<b>ACTION REQUESTED:</b>	Letter of Support for Senate Bill 57 (Pet Food Fee for Neutering and Sheltering)
<b>SUMMARY BY:</b>	City Manager

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## **PROJECT DESCRIPTION / FACTS**

Senate Bill 57 will establish a new funding mechanism and a substantial revenue stream for low-cost spay/neuter surgeries for the pets of low-income New Mexicans and help Counties and Municipalities address the tragic and costly problem of dog and cat overpopulation.

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<b>SUPPORT DOCUMENTS:</b>	Letter of Support for Senate Bill 57
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## **DEPARTMENT'S RECOMMENDED MOTION:**

Move to approve Letter of Support for Senate Bill 57 (Pet Food Fee for Neutering and Sheltering)

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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!*

January 28, 2020

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 to respectfully urge you to sign Senate Bill 57 (Pet Food Fee for Neutering and Sheltering) into law. Senate Bill 57 will create an equitable funding mechanism for statewide low-cost spay/neuter services, 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 citizens in Aztec want to see sustainable solutions to the problem of pet overpopulation. We believe Aztec citizens 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 57 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 believe Senate Bill 57 offers a reasonable, fiscally prudent, and beneficial solution to the problem of dog and cat overpopulation that has long plagued Aztec and our great state of New Mexico. We ask you to support the measure and thank you for your consideration.

Respectfully signed,

Rosalyn A. Fry  
Mayor Pro-Tem  
City of Aztec

# Staff Summary Report

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**MEETING DATE:** January 28, 2020  
**AGENDA ITEM:** IX. BUSINESS ITEMS (A)  
**AGENDA TITLE:** Final Adoption of Ordinance 2020-499, An Ordinance Authorizing the Sale of Certain Municipal Owned Property Commonly Known as 119 E Chuska Street / 119 S Church Avenue

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**ACTION REQUESTED BY:** City Staff  
**ACTION REQUESTED:** Approve Final Adoption of Ordinance 2020-499, An Ordinance Authorizing the Sale of Certain Municipal Owned Property Commonly Known as 119 E Chuska Street / 119 S Church Avenue

**SUMMARY BY:** Kathy Lamb

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## PROJECT DESCRIPTION / FACTS

- The City Commission approved the award of RFP 2020-723 Sale of Real Property located at 119 E Chuska Street / 119 S Church Avenue to Double D Investments for \$130,000.
- An Ordinance is required due to sale of real property exceeding \$25,000. As per 3-54-1.D NMSA 1978, the ordinance will include the terms of the sale, appraised value of the property, time and manner of payments, amount of sale, identification of purchases, and a purpose for the sale. This ordinance would not be effective until 45 days after adoption.
- The intent to adopt Ordinance was approved by the City Commission on January 7, 2020. To date, no comments have been received by the City.

## PROCUREMENT

N/A

## FISCAL IMPACTS

If the ordinance is adopted and becomes effective, it is anticipated closing on the property will not occur until early April 2020. It is anticipated an additional \$6,500 will be included in mid-year budget adjustments for continuing utility costs until the closing on the property (originally budgeted four months of costs).

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**SUPPORT DOCUMENTS:** Ordinance 2020-498 Authorizing the Sale of Certain Municipal Owned Property Commonly Known as 119 E Chuska Street / 119 S Church Avenue

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Final Adoption of Ordinance 2020-499, An Ordinance Authorizing the Sale of Certain Municipal Owned Property Commonly Known as 119 E Chuska Street / 119 S Church Avenue

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**Ordinance 2020-499**

**An Ordinance Authorizing the Sale of Certain Municipal-Owned Real Property Commonly Known as 119 E Chuska Street / 119 S Church Avenue to Double D Investments, LLC, for the Purchase Price of \$130,000.00**

**WHEREAS,** the City of Aztec (the “City”) is the owner of certain real property (the “Property”) located at 119 E Chuska Street / 119 S Church Avenue in Aztec, New Mexico containing .32 acres; and

**WHEREAS,** the City has operated a small business incubator at the Property since 2016 but lacks sufficient financial resources to continue operations and complete necessary improvements; and

**WHEREAS,** unless a referendum election is held, the Ordinance authorizing the sale of this property shall be effective forty-five (45) days after its adoption; and

**WHEREAS,** inclusive in this Ordinance are the following:

1. **Terms of Sale:** The City proposes to sell Property comprised of Lots 9, 10, 11 and 12 in Block 31 of the Original Townsite of Aztec, containing .32 acres, more or less for the purchase price of One Hundred Thirty Thousand Dollars (\$130,000.00).
2. **Appraised Value of Municipal Owned Real Property:** The current appraised fair market value of the Property has been determined by a qualified appraiser to be One Hundred Fifty Thousand Dollars (\$150,000.00) as of August 12, 2019 and the report is available for inspection in the City Clerk’s office.

The City issued a Request for Proposal 2020-723 and received one viable proposal below the appraised value of the property.

3. **Schedule of Payments:** The Purchase Price is to be paid with an earnest money deposit with the balance to paid at the closing which shall occur as soon as is practical after the effective date of this Ordinance.

Earnest Money Deposit	\$ 13,000.00
Balance of Cash at Closing	\$ 117,000.00
Total Payments	\$ 130,000.00

4. **The Amount of Purchase Price:** \$ 130,000.00
5. **Purchaser of Property:** Double D Investments, LLC, 14 Road 3008, Aztec, New Mexico

6. **Purpose of Municipal Sale:** The City does not have the financial resources to make necessary improvements to the Property. The City finds that the sale of the Property to Double D Investments, LLC provides opportunity for continuing commercial business operations of the Property contributing to the economic development of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Aztec as follows:

1. The City of Aztec hereby approves the sale of the Property described as follows:  
  
Legal Description: Lots 9, 10, 11 and 12 in Block 31 of the Original Townsite of Aztec, containing .32 acres
2. This Ordinance was published prior to its adoption and shall be published at least once after adoption, pursuant to Sections 3-1-2 (J), 3-17-3 and 3-54-1, et seq. NMSA 1978, as amended.
3. The effective date of this Ordinance shall be forty-five (45) days after its adoption by the governing body of the City of Aztec, unless a referendum election is held.
4. The City Manager is hereby authorized to finalize and execute documents as may be reasonably necessary to close the transaction authorized herein provided that the closing documents shall be substantially in a form acceptable to the City Attorney.
5. Severability. Should any section, paragraph, clause or provision of this Ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.
6. Repealer. All ordinances or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

**PASSED, APPROVED, SIGNED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_ 2020, by the  
Aztec City Commission, City of Aztec, New Mexico.

\_\_\_\_\_  
Mayor Victor Snover

ATTEST:

\_\_\_\_\_  
Karla Sayler, City Clerk CMC

Advertised Date of Final Adoption:

\_\_\_\_\_

Effective Date of Ordinance:

\_\_\_\_\_

# Staff Summary Report

**MEETING DATE:** January 28, 2020  
**AGENDA ITEM:** IX. BUSINESS ITEMS (B)  
**AGENDA TITLE:** Resolution 2020-1172 FY2020 Mid-Year Budget Adjustments

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

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<b>PROJECT DESCRIPTION / FACTS</b>
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NM DFA LGD: New Mexico Department of Finance and Administration Local Government Division

The City Manager and Finance Department have completed a review of the budget for all departments and have identified adjustments, revenue, expenditures and transfers, requiring a budget resolution. A workshop was held with the City Commission on Tuesday, January 14, 2020, to discuss the mid-year budget adjustments. Included in that discussion was a decrease in the General Fund expenditure budget specific to the reduced administrative fee specific to the Hold Harmless gross receipts tax distribution. This reduction has been eliminated (\$11,000) and the funds may be repurposed to a budget preparation and transparency reporting application.

The mid-year budget adjustment includes an increase to municipal employees. This increase does not change the current pay plan and would be applied as follows:

- .25/hr to all current employees who were employed by the City as of 1/28/2019 (one year service) and are not included in city apprentice programs (Electric lineman & meter tech; Water/Wastewater Plant operator certification program).
- New employees, employed from 1/29/2019 to 1/28/2020, will receive the .25/hr increase upon completion of one year service with the City.
- Future employees, employed after 1/28/2020, are not scheduled to receive this additional compensation.

**GENERAL FUND**

Establish budget for Internet Sales Gross Receipts Tax Distribution (Sept 2019 – June 2020).	Revenue Increase	\$62,077
Acct 101-0000-31212		

Increase budget for gross receipts distribution; recognizing a portion of the increased distribution to the City (July to December 2020).  Accts 101-0000-31200 \$34,500; 101-0000-31210 \$34,500	Revenue Increase	\$72,000
Establish budget for worker's compensation insurance dividend and liability insurance equity credit.  Accts 101-0000-36520 \$29,063; 101-0000-36530 \$29,648	Revenue Increase	\$58,711
Establish budget for refunds received as of December 2019; primarily consisting of worker's compensation insurance premium refund for FY2019 (\$21,540)  Acct 101-0000-36911	Revenue Increase	\$21,735
Establish budget for sale of municipal surplus property (proceeds received through December 2019)  Acct 101-0000-38100 \$9,495; 101-0000-38105 \$5,041	Revenue Increase	\$14,536
Establish budget for the sale municipal buildings/land (HUB)  Acct 101-0000-38110	Revenue Increase	\$130,000
<b>General Fund Revenue Budget Increase</b>		<b>\$359,059</b>
Ordinance 2019-490, amending City Code Ch 2, Sec 2-166, removing leave benefits from the Municipal Judge position. Accrued leave benefits will be paid out to Judge Gray at the end of the current term for the Municipal Judge (not included in FY20 adopted annual budget).  101-1120-41290	Expenditure Increase	\$9,714
Ordinance 2019-490, amending City Code Ch 2, Sec 2-166, amended compensation to be 50% of State Magistrate Judges. This change will be effective with the new term of municipal judge.  101-1120-41010	Expenditure Increase	\$3,403
Increase personnel budget for Animal Care and Control; elimination of two part time non-benefit positions for full-time benefit position. Budget adjustment is for increase to employee benefit budgets (PERA, RHCA, and health insurance).  101-5210-42200, 101-5210-43100, 101-5210-43110	Expenditure Increase	\$16,000
Increase individual compensation to employees effective with first pay period in February.  All personnel budgets in General Fund	Expenditure Increase	\$22,644

Establish budget for sponsorship of the Outdoor Recreation Conference Fall 2020 and local marketing/promotion in conjunction with fall conference.  101-1115-67217	Expenditure Increase	\$15,000
Increase utility budgets for HUB; annual budget was established for six months; municipal ownership of the property will continue until mid Spring 2020 101-1115-66100, 101-1115-66200	Expenditure Increase	\$10,000
Increase facility budget for MVD to provide funds to repair concrete pad entrance 101-1150-63200	Expenditure Increase	\$10,000
Establish budget for technology risk assessment (identify vulnerabilities, continuous monitoring of city network, and best practice recommendation) 101-1170-64200	Expenditure Increase	\$6,200
Increase utility budget (specific to water) for Hartman Park; increase the result of replacement of non-functioning water meter. 101-6410-66400	Expenditure Increase	\$11,000
Decrease in existing budgets specific to golf course (cart & facility leases)  101-6420-68120 (\$3,333), 101-6420-69845, 101-6420-69846, 101-6420-69895, 101-6420-69896 (total \$9,664)	Expenditure Decrease	(\$12,997)
Increase existing budget for Senior Center county funds, actual county distribution exceed budget by \$500 (budget increase necessary to allow department to expend funds)  101-7010-78150	Expenditure Increase	\$500
Establish capital budget for purchase of mower 101-6450-83200	Capital Increase	\$85,000
Increase capital budget for additional costs associated with replacement of fire alarm control panel at Boys & Girls Club facility	Capital Increase	\$1,745
<b>General Fund Expenditure Budget Increase</b>		<b>\$178,209</b>
Increase transfer budget to Correction Fund (projected difference between revenues from correction fee and detention center costs through June 30, 2020)  Acct #101-9910-90207	Transfer Out Increase	\$18,000
Establish transfer budget to Joint Utility Fund (repayment of loan to General Fund for the purchase of the "HUB")  Acct #101-9910-90500	Transfer Out Increase	\$135,000
<b>General Fund Transfer Budget Increase</b>		<b>\$153,000</b>

**CORRECTIONS FUND**

Increase budget for detention center costs projected to June 30, 2020 Acct #207-11220-68320	Expenditure Increase	\$18,000
Corrections Fund Expenditure Budget Increase		\$18,000
Increase transfer budget from General Fund (funds will only be transferred as needed to eliminated a negative cash balance in the Corrections Fund) Acct #207-9910-39101	Transfer In Increase	\$18,000
Corrections Fund Transfer Budget Increase		\$18,000

**INTERGOVERNMENTAL GRANT FUND**

Establish budget for NMFA Planning Grant award to Community Development Acct #218-1116-33022	Revenue Increase	\$50,000
Establish budget for actual distribution of SJ Soils Grant Acct #218-6450-33295	Revenue Increase	\$480
Increase budget based on actual award for NM State Library Grant In Aid Acct #218-6490-33567	Revenue Increase	\$3,904
Intergovernmental Grant Fund Revenue Budget Increase		\$54,384
Establish budget for NMFA Planning Grant award to Community Development Acct #218-6450-76512	Expenditure Increase	\$50,000
Establish budget for actual distribution of SJ Soils Grant Acct #218-6450-33295	Expenditure Increase	\$480
Increase budget based on actual award for NM State Library Grant In Aid Acct #218-6490-76810	Expenditure Increase	\$3,904
Intergovernmental Grant Fund Expenditure Budget Increase		\$54,384

**JOINT UTILITY FUND**

Establish budget for worker's compensation insurance dividend and liability insurance equity credit.  Accts 500-4500-36520, 500-4500-36530, 500-4600-36520, 500-4600-36530, 500-4700-36520, 500-4700-36530	Revenue Increase	\$18,401
Joint Utility Fund Revenue Budget Increase		\$18,401
Increase individual compensation to employees effective with first pay period in February.  All personnel budgets in Joint Utility Fund	Expenditure Increase	\$8,128
Joint Utility Fund Expenditure Budget Increase		\$8,128

Increase transfer budget from General Fund (repayment of loan to General Fund specific to purchase of HUB)	Transfer Increase	\$135,000
Acct #500-0000-39101		
Joint Utility Transfer Budget Change		\$135,000

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**SUPPORT DOCUMENTS:** Resolution 2020-1172 FY20 Mid-Year Budget Adjustments  
 (table in resolution will be updated to include DFA account numbers and provided to City Commission prior to 1/28/2020)

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**DEPARTMENT'S RECOMMENDED MOTION:** Move to Approve Resolution 2020-1172  
 FY20 Mid-Year Budget Adjustments

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**RESOLUTION 2020-1172**  
**State Of New Mexico, City Of Aztec**  
**2019-2020 MID-YEAR BUDGET ADJUSTMENT, 106th FISCAL YEAR**

**WHEREAS,** as recommended by NM DFA, a mid-year review of the FY2020 budget and projected ending cash balances has been completed; and

**WHEREAS,** the City of Aztec budget for Fiscal Year 2019-2020 will be adjusted as follows, and

**GENERAL FUND**

Establish budget for Internet Sales Gross Receipts Tax Distribution (Sept 2019 – June 2020).  Acct 101-0000-31212	Revenue Increase	\$62,077
Increase budget for gross receipts distribution; recognizing a portion of the increased distribution to the City (July to December 2020).  Accts 101-0000-31200 \$34,500; 101-0000-31210 \$34,500	Revenue Increase	\$72,000
Establish budget for worker's compensation insurance dividend and liability insurance equity credit.  Accts 101-0000-36520 \$29,063; 101-0000-36530 \$29,648	Revenue Increase	\$58,711
Establish budget for refunds received as of December 2019; primarily consisting of worker's compensation insurance premium refund for FY2019 (\$21,540)  Acct 101-0000-36911	Revenue Increase	\$21,735
Establish budget for sale of municipal surplus property (proceeds received through December 2019)  Acct 101-0000-38100 \$9,495; 101-0000-38105 \$5,041	Revenue Increase	\$14,536
Establish budget for the sale municipal buildings/land (HUB)  Acct 101-0000-38110	Revenue Increase	\$130,000
<b>General Fund Revenue Budget Increase</b>		<b>\$359,059</b>
Ordinance 2019-490, amending City Code Ch 2, Sec 2-166, removing leave benefits from the Municipal Judge position. Accrued leave benefits will be paid out to Judge Gray at the end of the current term for the Municipal Judge (not included in FY20 adopted annual budget).  101-1120-41290	Expenditure Increase	\$9,714
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effective with the new term of municipal judge. 101-1120-41010		
Increase personnel budget for Animal Care and Control; elimination of two part time non-benefit positions for full-time benefit position. Budget adjustment is for increase to employee benefit budgets (PERA, RHCA, and health insurance). 101-5210-42200, 101-5210-43100, 101-5210-43110	Expenditure Increase	\$16,000
Increase individual compensation to employees effective with first pay period in February. All personnel budgets in General Fund	Expenditure Increase	\$22,644
Establish budget for sponsorship of the Outdoor Recreation Conference Fall 2020 and local marketing/promotion in conjunction with fall conference. 101-1115-67217	Expenditure Increase	\$15,000
Increase utility budgets for HUB; annual budget was established for six months; municipal ownership of the property will continue until mid Spring 2020 101-1115-66100, 101-1115-66200	Expenditure Increase	\$10,000
Increase facility budget for MVD to provide funds to repair concrete pad entrance 101-1150-63200	Expenditure Increase	\$10,000
Establish budget for technology risk assessment (identify vulnerabilities, continuous monitoring of city network, and best practice recommendation) 101-1170-64200	Expenditure Increase	\$6,200
Increase utility budget (specific to water) for Hartman Park; increase the result of replacement of non-functioning water meter. 101-6410-66400	Expenditure Increase	\$11,000
Decrease in existing budgets specific to golf course (cart & facility leases) 101-6420-68120 (\$3,333), 101-6420-69845, 101-6420-69846, 101-6420-69895, 101-6420-69896 (total \$9,664)	Expenditure Decrease	(\$12,997)
Increase existing budget for Senior Center county funds, actual county distribution exceed budget by \$500 (budget increase necessary to allow department to expend funds) 101-7010-78150	Expenditure Increase	\$500
Establish capital budget for purchase of mower 101-6450-83200	Capital Increase	\$85,000
Increase capital budget for additional costs associated with replacement of fire alarm control panel at Boys & Girls Club facility	Capital Increase	\$1,745
General Fund Expenditure Budget Increase		\$178,209

Increase transfer budget to Correction Fund (projected difference between revenues from correction fee and detention center costs through June 30, 2020)  Acct #101-9910-90207	Transfer Out Increase	\$18,000
Establish transfer budget to Joint Utility Fund (repayment of loan to General Fund for the purchase of the "HUB")  Acct #101-9910-90500	Transfer Out Increase	\$135,000
General Fund Transfer Budget Increase		\$153,000

### **CORRECTIONS FUND**

Increase budget for detention center costs projected to June 30, 2020  Acct #207-11220-68320	Expenditure Increase	\$18,000
Corrections Fund Expenditure Budget Increase		\$18,000
Increase transfer budget from General Fund (funds will only be transferred as needed to eliminated a negative cash balance in the Corrections Fund)  Acct #207-9910-39101	Transfer In Increase	\$18,000
Corrections Fund Transfer Budget Increase		\$18,000

### **INTERGOVERNMENTAL GRANT FUND**

Establish budget for NMFA Planning Grant award to Community Development Acct #218-1116-33022	Revenue Increase	\$50,000
Establish budget for actual distribution of SJ Soils Grant Acct #218-6450-33295	Revenue Increase	\$480
Increase budget based on actual award for NM State Library Grant In Aid Acct #218-6490-33567	Revenue Increase	\$3,904
Intergovernmental Grant Fund Revenue Budget Increase		\$54,384
Establish budget for NMFA Planning Grant award to Community Development Acct #218-6450-76512	Expenditure Increase	\$50,000
Establish budget for actual distribution of SJ Soils Grant Acct #218-6450-33295	Expenditure Increase	\$480
Increase budget based on actual award for NM State Library Grant In Aid Acct #218-6490-76810	Expenditure Increase	\$3,904
Intergovernmental Grant Fund Expenditure Budget Increase		\$54,384

### **JOINT UTILITY FUND**

Establish budget for worker's compensation insurance dividend and liability insurance equity credit.  Accts 500-4500-36520, 500-4500-36530, 500-4600-36520, 500-4600-36530, 500-4700-36520, 500-4700-36530	Revenue Increase	\$18,401
Joint Utility Fund Revenue Budget Increase		\$18,401
Increase individual compensation to employees effective with first pay period in February.  All personnel budgets in Joint Utility Fund	Expenditure Increase	\$8,128
Joint Utility Fund Expenditure Budget Increase		\$8,128
Increase transfer budget from General Fund (repayment of loan to General Fund specific to purchase of HUB)  Acct #500-0000-39101	Transfer Increase	\$135,000
Joint Utility Transfer Budget Change		\$135,000

**WHEREAS,** the official meeting for the review of this special budget resolution was duly advertised on January 22, 2019, Resolution 2019-1114, and January 28, 2020, 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 2019-2020,

**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 28th day of January, 2020.

**MUNICIPAL GOVERNING BOARD AZTEC, NEW MEXICO**

\_\_\_\_\_  
Mayor Victor C. Snover

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Mayor Pro-Tem Rosalyn A Fry

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Commissioner Mark E. Lewis

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Commissioner Austin R. Randall

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Commissioner Sherri A. Sipe

ATTEST: \_\_\_\_\_  
Karla Sayler, City Clerk