

AG E N D A
CITY OF AZTEC
CITY COMMISSION MEETING
September 8, 2020
201 W. Chaco, City Hall
6:00 p.m.

For The Regular Meeting of City of Aztec Commission to be held at
6:00 pm Tuesday, September 8, 2020
it will be streamed live on www.youtube.com City of Aztec

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 Meeting Minutes August 25, 2020
- B. Contract for Library Services
- C. Senior Citizen Services Agreement
- D. NMDFA CARES ACT Award CARES-16001-CAZ Agreement
- E. NMDFA CARES Act Award CARES-BUS-16001-CAZ Agreement
- F. Special Budget Resolution 2020-1196 Intergovernmental Fund Cares Act
- G. Special Budget Resolution 2020-1197 Intergovernmental Funds for Library and Senior Center
- H. Resolution 2020-1198 Adopting 2022-2026 Infrastructure Capital Improvement Plan
- I. Memorandum of Understanding Animal Care Agreement between City of Bloomfield and City of Aztec

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"

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.

VI. ITEMS REMOVED FROM CONSENT AGENDA

VII. CITIZENS INPUT (3 Minutes Maximum)

Commission will take general public comment in written form via email or fax through 5:00 PM on Monday, September 7th. Hard copies can be faxed to 505-334-7609 or emailed to ksayler@aztecm.gov. These comments will be distributed to all commissioners for review to be addressed at the meeting.

VIII. BUSINESS

A. Intent to Adopt Ordinance 2020-509 Amending Chapter 16, Fees Article XI
Municipal Airport

IX. QUASI JUDICIAL HEARINGS (LAND USE)

X. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS

XI. CLOSED SESSION

Pursuant to State Law, Section 10-15-1H (2) Limited Personnel Matters,
City Manager

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 COMMISSION MEETING MINUTES
3 August 25, 2020
4

5 **I. CALL TO ORDER**
6

7 Mayor Snover called the Meeting to order at 6:00 pm. The Regular Meeting of City
8 of Aztec Commission to be held at 6:00 pm Tuesday, August 25, 2020 will be streamed
9 live on www.youtube.com
10

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

- 13 A. Invocation (led Commissioner Randall)
- 14 B. United States Pledge of Allegiance (led by Commissioner Padilla)
- 15 C. New Mexico pledge of Allegiance (led by Commissioner Padilla)
- 16

17 **III. ROLL CALL**
18

19 Members Present: (Members were on web call) Mayor Snover; Mayor Pro-Tem
20 Fry; Commissioner Austin Randall; Commissioner Mark
21 Lewis; Commissioner Mike Padilla (In Person)
22

23 Members Absent: None
24

25 Others Present: City Manager Steve Mueller; City Attorney Tyson Gobble;
26 Project Manager Ed Kotyk; City Clerk Karla Sayler (see
27 attendance sheet
28

29 **IV. PROCLAMATION**
30

31 Constitution Week
32 Piano Month
33

34 Mayor Snover read the Proclamation for Constitution Week and Mayor
35 Pro-Tem Fry read the Proclamation for Piano Month.
36

37 **V. APPROVAL OF AGENDA ITEMS**
38

39 MOVED by Commissioner Randall to approve the agenda as given;
40 SECONDED by Commissioner Padilla
41

42 All voted Aye: Motion passed five to zero
43
44
45
46

47 **VI. CONSENT AGENDA**

- 48
49 A. Commission Workshop Meeting Minutes August 11, 2020
50 B. Commission Meeting Minutes August 11, 2020
51 C. Consideration for a Memorandum of Agreement amending the
52 Intergovernmental Agreement for Building Inspection Services with San Juan
53 County
54 D. RFP 2019-697 City Attorney Contract Renewal
55 E. RFP 2014-225 SEH North Main Final Design, Amendment #2 Hydraulic Study
56 F. Senior Community Center Records Destruction

57
58 MOVED by Commissioner Randall to Approve the Consent Agenda as
59 given SECONDED by Commissioner Lewis

60
61 All voted Aye: Motion passed five to zero

62
63 **VII. ITEMS REMOVED FROM CONSENT AGENDA**

64
65 NONE

66
67 **VIII. CITIZENS INPUT (3 Minutes Maximum)**

68
69 NONE

70
71 Commission will take general public comment in written form via email or fax
72 through 5:00 PM on Monday, August 24th. Hard copies can be faxed to
73 505-334-7609 or emailed to ksayler@aztecm.gov. These comments will be
74 distributed to all commissioners for review to be addressed at the meeting.

75
76 **IX. BUSINESS ITEMS**

- 77
78 A. Final Adoption of Ordinance 2020-507: An Ordinance Granting a Franchise to
79 Comcast Cablevision of New Mexico / Pennsylvania, Inc. to Operate and
80 Maintain a Cable System in the City of Aztec, New Mexico

81
82 City Manager Steve Mueller explained that this is the final adoption and he has
83 not received any public comments about this franchise agreement.

84
85 MOVED by Mayor Pro-Tem Fry to Approve Final Adoption of Ordinance
86 2020 507: An Ordinance Granting a Franchise to Comcast Cablevision of New
87 Mexico/Pennsylvania, Inc. to Operate and Maintain a Cable System in the City of
88 Aztec, New Mexico SECONDED by Commissioner Padilla

89
90 All voted Aye: Motion passed five to zero

91

92 B. Intent to Adopt Ordinance 2020-508: An Ordinance Authorizing the Sale
93 Certain Municipal-Owned Real Property West of Newman Avenue to Eric
94 Edgerton, for the Purchase Price of \$5,400.00
95

96 City Manager Steve Mueller turned it over to Community Development Director
97 Steven Saavedra. Steven explained that Eric Edgerton is seeking to purchase 0.29
98 acres from the City of Aztec. He explained that this request is based on the fact that his
99 mobile home park (Cottonwood) is encroaching on City property and Eric is trying to sell
100 the mobile home park. The mobile home park was initially approved in 2004 by
101 Commission. The encroachment issue will not allow him to sell the property and that is
102 why he is seeking to purchase this 0.29 acres from the City to rectify the problem. Eric
103 Edgerton has obtained a survey and an appraisal for the property. Steven also pointed
104 out that this is a zoning issue pertaining to a PUD, letters were sent out regarding this
105 issue and he has been contacted by several individuals for more information. The
106 survey was done by an outside firm, but they relied on our GIS data. Some of the
107 mobile homes are actually sitting on top of a utility line which makes it difficult if you
108 need to access the line. Selling this property does not eliminate the fact that we will
109 have structures over the utility lines. Since these are mobile homes it is easier to try and
110 fix the situation if they are moved or replaced with smaller units so they are not
111 encroaching on the utility lines.

112 Commissioner Padilla has a concern about who would be responsible if
113 something happens with the utility lines. City Attorney Tyson Gobble mentioned that
114 technically we should have access to repair those utilities or make improvements and if
115 there is an easement they are supposed to be unobstructed. He thinks that the liability
116 would fall on the actual property owner. If they are obstructed and we do not have the
117 access or ability to get in there and repair lines or whatever is needed and they are not
118 cognizant of what we got going and they are not willing to work with us if we do have to
119 get in there then we're going to have some issues.

120 Steven Saavedra mentioned that there is also a water line within close proximity
121 and they usually like to have at least 10 feet for an easement in order to get machinery
122 in if needed to access the lines. Commissioner Padilla was also concerned with the
123 appraisal because of the fact that they are using just the size of the land to come up
124 with the figures but they need to be figuring it as a piece of land with utilities on it, what
125 is the fair market value.

126 Eric Edgerton mentioned that in 2004 the City granted them the permit to
127 encroach on the City property for the utilities and for the privacy fence. They do
128 appreciate that and they have been operating for 16 years. He mentioned that every
129 meter on the backside next to the fence is where the power was installed in every
130 pedestal, he mentioned that they had to pay for that and he was under the impression
131 that since they had to pay to put in the infrastructure, that they were responsible for it.
132 They can look into the exact placement of the lines some of the trailers might have been
133 nudged up to the power line. In the future it could be a requirement that the trailers be
134 moved forward or requiring a smaller trailer to help solve the problem. What they are
135 running into with trying to sell the property is that the finance companies and banks are
136 resisting because they don't like to finance something that has an encroachment. He

137 mentioned that if the City allows him to buy the property he would be willing to pitch in
138 \$25,000 to help with the road or curbs on Newman.
139

140 MOVED by Commissioner Padilla to TABLE the Intent to Adopt Ordinance
141 2020-508: An Ordinance Authorizing the Sale of Certain Municipal-Owned Real
142 Property West of Newman Avenue to Eric Edgerton, for the Purchase Price of
143 \$5,400.00 until we get answers to the questions that were raised tonight
144 SECONDED by Commissioner Randall
145

146 All voted Aye: Motion passed five to zero
147

148 **X. QUASI JUDICIAL HEARINGS (Land Use)**
149

150
151 Mayor Snover read the land use script and swore all parties in. He asked if there
152 were any challenges, conflicts of interest or personal bias that needed to be declared
153 and there were none.
154

155 **A. Approval of a Conditional Use Permit (CUP) to Allow a Church in an R-1**
156 **Zoning District**
157

158 Community Development Director Steven Saavedra explained that this is a CUP
159 to allow a church (Timberland Church) in an R-1 single family zoning district and the
160 representatives are Mark Robinson and Cody Stovall. The property is located at 311
161 Ruins Rd. The applicant is moving forward with a remodel and expansion of the
162 structure and upon review they noticed that there was no CUP on file even though the
163 church has been there for over 20 years. They are just conforming to what is required
164 by City code and lowering the expansion and obtaining all permits. Staff is
165 recommending approval we just want to make sure that the Church recognizes that the
166 parking should stay off the public right away.
167

168 Cody Stovall mentioned that the church has been on location since the 1960's
169 and they are hoping that the church is allowed to remain where it is.
170

171 Mark Robinson re-iterated what Cody Stovall said.
172

173 Mayor Snover closed the item to testimony and opened it up for Commission
174 Discussion. There was no discussion and the Mayor closed the discussion.
175

176 MOVED by Commissioner Randall to Approve the Conditional Use Permit
177 (CUP) to Allow a Church in an R-1 Zoning District with the condition that they
178 ensure parking for the church is not located on the right-of-way, specifically Ruins
179 Rd. or Cimarron Ave. SECONDED by Commissioner Padilla
180

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

182 **B. ZC 2020-02 Amending a Planned Unit Development (PUD) for the Villa**
183 **Serena Mobile Home Park, Located at 510 Ruins Rd.**
184

185 Community Development Director Steven Saavedra explained that this is to
186 amend a PUD for the Villa Serena Mobile Home Park located at 500-01 to 516-74 and
187 this is at the request of Eric Edgerton. He explained that Eric is requesting this PUD to
188 the setback and density requirement. There is no record of the original PUD
189 establishing this so this amendment will establish and put forward specific setbacks per
190 Mr. Edgerton's request. This is a request because a potential buyer is wanting to know if
191 a home leaves the park where they can put another mobile home and without specific
192 knowledge it is difficult for the buyer or seller to convey what can and cannot happen.
193 They are not proposing any changes to how it sits today they are just establishing what
194 it is right now so that there is peace of mind going forward. Staff is recommending
195 approval with a list of setbacks.
196

197 Eric Edgerton explained that nothing will change with the park they just want to
198 be on the same page with the City and the State inspector and when they move a
199 mobile home out the want to be able to place it in the correct location so they won't
200 have to move it later.
201

202 Jan Fowler wanted to make sure the there wasn't anything that was going to
203 conflict with the property line or parking for the Monument trading post. Steven
204 Saavedra explained that there should be no issues related to parking because that
205 should occur on the mobile home park and no property lines are being adjusted and
206 there is no zoning change related to your parcel of property.
207

208 Mayor Snover closed the item to testimony and opened it up for Commission
209 Discussion. There was no discussion and the Mayor closed the discussion.
210

211 MOVED by Commissioner Lewis to Approve ZC 2020-02 Amending a
212 Planned Unit Development (PUD) for the Villa Serena Mobile Home Park,
213 Located at 510-01 to 516-74 Ruins Rd. SECONDED by Mayor Pro-Tem Fry
214

215 A Roll Call was taken: All voted Aye: Motion passed five to zero
216

217 **C. ZC 2020-03 Amending a Planned Unit Development (PUD) for the**
218 **Cottonwood Mobile Home Park, Located at 304 Robinson Ave.**
219

220 Community Development Director Steven Saavedra explained that this is to a
221 PUD for the Cottonwood Mobile Home Park located at 304 Robinson Ave. and the
222 requester is Eric Edgerton. The is the same exact situation as in the previous item
223 where it is zoned PUD but the document outlining specific setbacks, density, and
224 parking is not on file with the City. This is to try to clean up the zoning so that everyone
225 know what can and cannot happen.
226

227 Commission felt that with the other issue with this same park being table they
228 should table this as well and take care of both issues at the same time.

229
230 Mayor Snover closed the item to testimony and opened it up for Commission
231 Discussion. City Attorney Tyson Gobble mentioned that the record would be open until
232 we look at this again and he will have due process rights with the quasi-judicial hearing.

233
234 Commission requested that a time and date be set to go out and view the
235 property in question. City Attorney advised that it be advertised pursuant to the Open
236 Meetings Act so there is in no way any decision or meeting and we don't have any
237 perceived biases. Mayor Snover mentioned that they had to do this once before and
238 they are not allowed to speak to one another and they had to go look at the site
239 separately from one another.

240
241 MOVED by Commissioner Padilla to table (item C) for ZC 2020-03 Amending
242 a Planned Unit Development (PUD) for the Cottonwood Mobile Home Park,
243 Located at 304 Robinson Ave. SECONDED by Commissioner Lewis

244
245 A Roll Call was taken: All voted Aye: Motion passed five to zero

246
247 **XI. COMMISSIONER, CITY MANAGER, DEPARTMENT REPORTS**

248
249 City Manager Steve Mueller apologized for the technical difficulties and he
250 mentioned that we are currently in stage 1 with water restrictions and staff
251 continues to monitor the situation. He also mentioned that the NMML leagues
252 annual conference is coming up on September 1st – 3rd it will be virtual and the
253 deadline to sign up is Thursday, August 27th.

254
255 City Attorney Tyson Gobble congratulated Mayor Pro-Tem Fry on the success of
256 the Piano Project.

257
258 Commissioner Lewis mentioned that he attended the presentation of the painted
259 pianos on Main and he enjoyed it and thanked everyone involved.

260
261 Commissioner Randall gave a shout out to Aztec PD for cracking on speeders
262 coming into town and he knows it means a lot to citizens also and hopefully people
263 will start slowing down. The bass are decent at Navajo Lake.

264
265 Mayor Pro-Tem Fry attended the EDAB meeting and there was a speaker who
266 had information about community gardens and other cities around us have
267 gardens and she feels it would be an important addition to our city as well. Had a
268 meeting with NM Seniors, the piano project has been satisfying and they have had
269 a lot of media attention. She thanked everyone for the continued support.

270

271 Mayor Snover mentioned that it is the little things like the piano project that get
272 people out and about. He mentioned that he is proud to serve with the folks on
273 Commission and City Staff that are working hard on side project to bring a positive
274 light on the area. He mentioned that he has an ECHO meeting tomorrow and
275 AirPort Advisory Board meeting and it looks like we will be able to work something
276 out with the pilots for the lease and hanger fees.
277
278
279

280 **XII. ADJOURNMENT**

281
282 Mayor Snover moved to adjourn the meeting at 8:02 pm SECONDED by
283 Commissioner Lewis
284
285
286
287
288
289
290
291
292

293 _____
Mayor, Victor Snover

294 ATTEST:

295
296 _____
297 Karla Sayler, City Clerk
298
299

300 MINUTES PREPARED BY:

301
302 _____
303 Sherlynn Morgan, Administrative Assistant
304
305
306
307

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (B)
AGENDA TITLE: Contract for Library Services

ACTION REQUESTED BY: Staff
ACTION REQUESTED: Approval
SUMMARY BY: Sherlynn Morgan

PROJECT DESCRIPTION / FACTS

- San Juan County has submitted their contract for library services to the City for FY21. The County appropriates funds to our City for library services based on the premise that the City will provide the same level of services to County residents as we do to City residents.
- Annual funding provided by San Juan County in support of these services is \$2,500.00

PROCUREMENT

- N/A

FISCAL IMPACTS

- Funding assistance from San Juan County for the library was not included in the annual budget. Consent Item G is a special budget resolution that will budget the funds and allow the library to utilize the funds.

SUPPORT DOCUMENTS: Contract for Library Services Agreement

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Contract for Library Services

CONTRACT FOR LIBRARY SERVICES

THIS AGREEMENT, made and entered into this _____ day of _____, 2020, by and between the City of Aztec, New Mexico, a municipal corporation, hereinafter called "the City" and the County of San Juan, a political subdivision of the State of New Mexico, hereinafter called "the County".

WHEREAS, pursuant to NMSA 1978, §4-36-2 (1965), the County is authorized to appropriate funds for library services;

WHEREAS, the County does not operate library facilities for its citizens; and

WHEREAS, the City has agreed to operate a library facility and offer library services to all residents of the County on the same basis as such services are offered to residents of the City. Additionally, this agreement will assign Legal Service Area (LSA) population allocations to San Juan County libraries in compliance with New Mexico Administrative Code (NMAC) requirements. Each San Juan County Public Library will use the most recent U.S. Census for their discreet population figures with the population within the city limits of Aztec, New Mexico allocated to the Aztec Public Library.

NOW THEREFORE, the parties mutually agree:

1. The City shall provide library facilities and services to County residents on the same basis and to the same extent as those provided to City residents.
2. As compensation for the above, the County agrees to appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) and to pay said sum to the City as consideration for the use and services of the library facility located within the municipal limits of the City.
3. The City shall keep books and records of all expenditures made pursuant to this Agreement, and keep such books and records available for inspection and audit by the County from time to time.
4. The term of this agreement shall be one year, commencing July 1, 2020, and ending June 30, 2021. Either party may terminate this agreement on 30 days written notice to the other party. If the agreement is terminated, the total compensation paid shall be prorated on a monthly basis and an amount equal to the compensation for the number of months remaining in the original term shall be refunded to the County.

EXECUTED the day and year set out above.

**SAN JUAN COUNTY BOARD OF
COUNTY COMMISSIONERS**

By Mike Stark
Mike Stark, County Manager

**APPROVED AS TO FORM
SAN JUAN COUNTY ATTORNEY**

By: Douglas A. [Signature]

CITY OF AZTEC

By _____
Victor Snover, Mayor

**APPROVED AS TO FORM
CITY OF AZTEC ATTORNEY**

By: _____

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (C)
AGENDA TITLE: Senior Citizen Services Agreement

ACTION REQUESTED BY: Staff
ACTION REQUESTED: Approval
SUMMARY BY: Sherlynn Morgan

PROJECT DESCRIPTION / FACTS

- San Juan County has submitted their contract for Senior Citizen Services to the City for FY21. The County appropriates funds to our City for library services based on the premise that the City will provide the same level of services to County residents as we do to City residents.
- Annual funding provided by San Juan County in support of these services is \$4,000.00

PROCUREMENT

- N/A

FISCAL IMPACTS

- Funding assistance from San Juan County for the senior center was not included in the annual budget. Consent Item G is a special budget resolution that will budget the funds and allow the senior center to utilize the funds.

SUPPORT DOCUMENTS: Senior Citizen Services Agreement

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Senior Citizen Services Agreement

SENIOR CITIZEN SERVICES AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____ 2020, by and between San Juan County, a political subdivision of the State of New Mexico (hereinafter referred to as "the County"), and the City of Aztec, a municipal corporation (hereinafter referred to as "the City").

WHEREAS, the County is authorized to contract for services to be provided to senior citizens living in San Juan County; and

WHEREAS, the City is willing and able to provide services to senior citizens living in San Juan County.

NOW, THEREFORE, it is understood and agreed as follows:

1. The City shall provide regularly scheduled services to senior citizens living within the boundaries of the City for fiscal year 2020-2021, and such services shall be comparable to those provided by the other senior citizens centers within the County.

2. Upon request by the City, the County shall provide to the City the sum of Four Thousand Dollars (\$4,000.00). This sum shall be used only to provide the services to senior citizens described herein.

3. At the conclusion of the fiscal year, the City shall forward to the County a written report detailing the services performed on behalf of senior citizens pursuant to this Agreement.

4. The City may contract with a subcontractor to provide the services described herein, but only with the express written consent of the County.

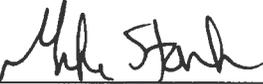
5. The City shall maintain records of all expenditures made under this Agreement, and the City's records shall be available for inspection and audit by the County during normal business hours.

6. The term of this Agreement shall be one year, commencing July 1, 2020 and ending June 30, 2021. Either party may terminate this Agreement on thirty (30) days written notice to the other party. If the Agreement is terminated, the total compensation paid shall be prorated on a monthly basis and an amount equal to the compensation for the number of months remaining in the original term shall be refunded to the County.

The foregoing being clearly understood and agreed to, this Agreement is hereby effective as of the date entered above.

SAN JUAN COUNTY, NEW MEXICO

CITY OF AZTEC

By 
Mike Stark, County Manager

By _____
Victor Snover, Mayor

**APPROVED AS TO FORM
SAN JUAN COUNTY ATTORNEY**

ATTEST:

By: 

By: _____
Karla Sayler, City Clerk

**APPROVED AS TO FORM
CITY OF AZTEC ATTORNEY**

By: _____

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (D)
AGENDA TITLE: NMDFA CARES Act Funding Award CARES-16001-CAZ Agreement

ACTION REQUESTED BY: Finance Department
ACTION REQUESTED: Approval of NMDFA CARES Act Funding Award CARES-16001-CAZ Agreement
SUMMARY BY: Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The City has been awarded \$218,750 for expenditures incurred between March 1, 2020 and December 30, 2020 specific to the public health emergency with respect to COVID-19.
- Costs incurred by the City include:
 - Sanitizing and personal protective equipment specific to the COVID-19 response
 - Expenses for communication and enforcement of the public health orders related to COVID-19
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions
 - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will be reimbursed by the federal government pursuant to the CARES Act or otherwise
 - Provide grants to individuals facing economic hardship to pay city utility fees to continue to receive essential services
 - Any other COVID-19 related expenses reasonably necessary to the function of government that satisfy the eligibility criteria
- Of the amount received, \$50,000 has been earmarked by City Staff to expand and improve the public wi-fi to provide reliable connectivity for students in the virtual learning environment and remote workers. It is anticipated the equipment and installation of same will be completed in early October.

PROCUREMENT

- All expenditures must be in accordance with the NM Procurement Code and federal procurement requirements.

FISCAL IMPACTS

- These funds are not considered grants but as other financial assistance. The financial assistance are federal funds and subject to the Single Audit Act (City will be subject to the single audit rule for FY21).
- These funds may not be used to reimburse the City for lost revenues but for costs incurred that were not budgeted as of March 27, 2020.
- Aside from the expansion of the public wi-fi network, personnel costs, including unemployment costs, which are not eligible for reimbursement through other sources (FEMA) will be the priority use of these funds.
- Final request for reimbursement must be submitted by January 31, 2021. Final reimbursement will also include a narrative and detail cost report documenting how funds were expended. Record retention for this program is five years after final payment is made. Unexpended funds remain with the state.

SUPPORT DOCUMENTS: NMDFA CARES Act Funding Award CARES-16001-CAZ Agreement

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve NMDFA CARES Act Funding Award CARES-16001-CAZ Agreement

CARES ACT FUNDING RECIPIENT:

Aztec, City of

<u>AWARD NUMBER:</u>	<u>FUNDING AMOUNT:</u>	<u>EXPIRATION DATE:</u>
CARES-16001-CAZ	\$218,750	December 30, 2020

CARES ACT FUNDING CRITERIA

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

These guidelines can be located in the “Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments – Updated June 30, 2020” document attached with this award letter.

CARES ACT FUNDING REIMBURSEMENT

The Department of Finance & Administration will disburse the CARES Act funds through a reimbursement process. The CARES Act Funding Recipient will submit to the Reimbursing Agency, Exhibit 1: Request for Payment form along with Exhibit 2: Coronavirus Relief Fund Backup Documentation Form and Exhibit 3: Coronavirus Relief Fund Payroll Backup Documentation Form, and Exhibit 4: Detailed Report form, as applicable. The recipient must submit these Exhibits, along with supporting document(s) as evidence of expenses. The Department of Finance & Administration will review these documents to ensure all expenses reflect the intent and purpose of the CARES Act funding language for reimbursement. All expenditures for which the CARES Act Funding Recipient requests reimbursement must occur between March 1st, 2020, and December 30th, 2020. The latest date the Appropriation Recipient may submit a Request for Payment is January 31st, 2021. With the submission of the final Exhibit 1: Request for Payment, the CARES Act Funding Recipient must include a completed Exhibit 4: Detailed Report form in order to receive the final reimbursement.

CERTIFICATION

I hereby certify that **Aztec, City of**:

1. Will only use the CARES Act funds to carry out and/or perform activities described in CARES Act funding criteria.
2. Will comply with State Procurement Code, if applicable. The execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property may be submitted for prior approval before making an expenditure.
3. Ensures that the CARES Act funds only benefit entities in accordance with applicable law.
4. Will follow the procedure described in “CARES Act Funding Reimbursement” for reimbursement of funds.
5. Will follow all reporting requirements as outlined in the Coronavirus Relief Fund Reporting and Record Retention Requirements.

CARES Act Funding Recipient Representative

Date

CARES Act Funding Recipient CFO

Date

DUNS Reporting Number for System for Award Management (SAM)

APPROVAL

In accordance with the authority conferred on the Department of Finance & Administration by the State of New Mexico, I hereby approve this certification for CARES Act Funding (**CARES-16001-CAZ**) in the amount of **(\$218,750)**.

Department of Finance & Administration Representative

Date

Department of Finance & Administration CFO

Date

Staff Summary Report

MEETING DATE:	September 8, 2020
AGENDA ITEM:	V. CONSENT AGENDA (E)
AGENDA TITLE:	NMDFA CARES Act Funding Award CARES-BUS-16001-CAZ Agreement

ACTION REQUESTED BY:	Finance Department
ACTION REQUESTED:	Approval of NMDFA CARES Act Funding Award CARES-BUS-16001-CAZ Agreement
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

- The City has been awarded \$1,198,125 for grants to local businesses for reimbursement of costs incurred between March 1, 2020 and December 30, 2020 specific to the public health emergency with respect to COVID-19.
- Local governments in San Juan County are coordinating the business application format, award criteria, and funding levels to be similar (not necessarily identical). City staff anticipates the business application will be posted prior to the Commission meeting on September 8, 2020. Links to the application, FAQs, reimbursement forms and any other documents which may be necessary or useful to the business community specific to this funding will be posted to the city's website. Notification to businesses will include emails generated through the business license database, webpage, social media and other communication methods to advise businesses of the funding opportunity.
- This is reimbursement funding for both the City and businesses which are awarded funds by the City. Agreements will be executed with each business awarded funds including detailed instruction and forms for reimbursement submittal to the City. Funds will be disbursed to businesses based on complete reimbursement requests and the City will then request reimbursement from the State.

PROCUREMENT

- All expenditures must be in accordance with the NM Procurement Code and federal procurement requirements.

FISCAL IMPACTS

- These funds are not considered grants but as other financial assistance. The financial assistance are federal funds and subject to the Single Audit Act (City will be subject to the single audit rule for FY21).

- For businesses, the funds received through the City would be included in the business's gross income for the year (IRS code). This will result in the city preparing 1099s for all businesses which receive reimbursements in 2020 and 2021.
- It is not expected the City will experience cash flow difficulty pending reimbursement from the State; however, reimbursement requests will be submitted to the State on a monthly basis.
- It is anticipated businesses which have not requested reimbursement of at least 50% of awarded funds by the end of October will be contacted to determine if funds will be expended or will be reverted back to the City. If reverted, the City will review unfunded applications to determine a possible 2nd round of funding with the goal to expend 100% of the funds awarded to the City.
- Final request for reimbursement must be submitted to the State by January 31, 2021 which will require businesses to submit final reimbursement to the City by January 8, 2021. Final reimbursement will also include a narrative and detail cost report documenting how funds were expended. Record retention for this program is five years after final payment is made. Unexpended funds remain with the state.

SUPPORT DOCUMENTS: NMDFA CARES Act Funding Award CARES-BUS-16001-CAZ Agreement

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve NMDFA CARES Act Funding Award CARES-BUS-16001-CAZ Agreement

CARES ACT FUNDING RECIPIENT:

Aztec, City of

<u>AWARD NUMBER:</u>	<u>FUNDING AMOUNT:</u>	<u>EXPIRATION DATE:</u>
CARES-BUS-16001-CAZ	\$1,198,125	December 30, 2020

CARES ACT FUNDING CRITERIA

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

These guidelines can be located in the “Coronavirus Relief Fund Guidance for State, Territorial, Local and Tribal Governments – Updated June 30, 2020” document attached with this award letter.

CARES ACT FUNDING REIMBURSEMENT

The Department of Finance & Administration will disburse the CARES Act funds through a reimbursement process. The CARES Act Funding Recipient will submit to the Reimbursing Agency, Exhibit 1: Request for Payment form along with Exhibit 2: Coronavirus Relief Fund Backup Documentation Form and Exhibit 3: Coronavirus Relief Fund Payroll Backup Documentation Form, and Exhibit 4: Detailed Report form, as applicable. The Department of Finance & Administration will review these documents to ensure all expenses reflect the intent and purpose of the CARES Act funding language for reimbursement and may request additional documentation (invoices, reports, etc.), as needed. All expenditures for which the CARES Act Funding Recipient requests reimbursement must occur between March 1st, 2020, and December 30th, 2020. The latest date the Appropriation Recipient may submit a Request for Payment is January 31st, 2021. With the submission of the final Exhibit 1: Request for Payment, the CARES Act Funding Recipient must include a completed Exhibit 4: Detailed Report form in order to receive the final reimbursement.

CERTIFICATION

I hereby certify that **Aztec, City of**:

1. Will only use the CARES Act funds to carry out and/or perform activities described in CARES Act funding criteria.
2. Will comply with State Procurement Code, if applicable. The execution of binding written obligations or purchase orders with third party contractors or vendors for the provision of services, including professional services, or the purchase of tangible personal property and real property may be submitted for prior approval before making an expenditure.
3. Ensures that the CARES Act funds only benefit entities in accordance with applicable law.
4. Will follow the procedure described in “CARES Act Funding Reimbursement” for reimbursement of funds.
5. Will follow all reporting requirements as outlined in the Coronavirus Relief Fund Reporting and Record Retention Requirements.

CARES Act Funding Recipient Representative

Date

CARES Act Funding Recipient CFO

Date

DUNS Reporting Number for System for Award Management (SAM)

APPROVAL

In accordance with the authority conferred on the Department of Finance & Administration by the State of New Mexico, I hereby approve this certification for CARES Act Funding (**CARES-BUS-16001-CAZ**) in the amount of **(\$1,198,125)**.

Department of Finance & Administration Representative

Date

Department of Finance & Administration CFO

Date

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (F)
AGENDA TITLE: Special Budget Resolution 2020-1196 Intergovernmental Fund CARES Act

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

PROJECT DESCRIPTION / FACTS

- The City has been awarded federal financial assistance specific to the public health emergency with respect to COVID-19. This assistance includes \$218,750 specific to reimbursement of costs incurred by City and \$1,198,125 for grants to businesses for reimbursements of costs incurred.
- The budget adjustment includes:

<i>Description</i>	<i>City Account Number</i>	<i>LGBMS Acct Number</i>	<i>Budget Increase</i>
Federal Emergency/Disaster Relief (City)	218-0000-38600	21800-0001-47550	\$218,750
Federal Emergency/Disaster Relief (Business Grants)	218-0000-38605	21800-0001-47550	\$1,198,125
CARES Act City Costs	218-7100-71105	21800-2002-57999	\$218,750
CARES Act Business Grants	218-7100-71150	21800-2002-55999	\$1,198,125

SUPPORT DOCUMENTS: Resolution 2020-1196

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Special Budget Resolution 2020-1196

RESOLUTION 2020-1196
State Of New Mexico, City Of Aztec
2020-2021 SPECIAL BUDGET RESOLUTION, 107th 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 2020-2021, and

WHEREAS, Intergovernmental Fund revenues and expenditures, specific to CARES Act appropriations from the State of New Mexico, were not included in the FY21 adopted budget; and

WHEREAS, the Intergovernmental Fund will be adjusted as follows:

<u>Description</u>	<u>City Account Number</u>	<u>LGBMS Acct Number</u>	<u>Budget Increase</u>
Federal Emergency/Disaster Relief (City)	218-0000-38600	21800-0001-47550	\$218,750
Federal Emergency/Disaster Relief (Business Grants)	218-0000-38605	21800-0001-47550	\$1,198,125
CARES Act City Costs	218-7100-71105	21800-2002-57999	\$218,750
CARES Act Business Grants	218-7100-71150	21800-2002-55999	\$1,198,125

WHEREAS, the official meeting for the review of this special budget resolution was duly advertised on January 28, 2020, Resolution 2020-1170, and September 8, 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 2020-2021,

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 8th day of September, 2020.

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 Michael A. Padilla, Sr.

ATTEST: _____
 Karla Saylor, City Clerk

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (G)
AGENDA TITLE: Special Budget Resolution 2020-1197 Intergovernmental Fund Library and Senior Center

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

PROJECT DESCRIPTION / FACTS

- The City has been awarded county funding assistance specific to the public library and senior center (Consent Items B & C). Due to the uncertainty with local budgets, this funding was not included in the annual budget. A budget resolution is required to establish budgets to make the funding available to the library and senior center.
- The budget adjustment includes:

<i>Description</i>	<i>City Account Number</i>	<i>LGBMS Acct Number</i>	<i>Budget Increase</i>
Local – County Funds (Library)	218-0000-38600	21800-0001-47800	\$2,500
Local – County Funds (Senior Center)	218-0000-38605	21800-0001-47800	\$4,000
Library County Funding Costs	218-6490-78150	21800-2002-57999	\$2,500
Senior Center County Funding Costs	218-7010-78150	21800-2002-57999	\$4,000

SUPPORT DOCUMENTS: Resolution 2020-1197

DEPARTMENT’S RECOMMENDED MOTION: Move to Approve Special Budget Resolution 2020-1197

RESOLUTION 2020-1197
State Of New Mexico, City Of Aztec
2020-2021 SPECIAL BUDGET RESOLUTION, 107th 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 2020-2021, and

WHEREAS, Intergovernmental Fund revenues and expenditures, specific to San Juan County appropriations, were not included in the FY21 adopted budget; and

WHEREAS, the Intergovernmental Fund will be adjusted as follows:

<i>Description</i>	<i>City Account Number</i>	<i>LGBMS Acct Number</i>	<i>Budget Increase</i>
Local – County Funds (Library)	218-0000-38600	21800-0001-47800	\$2,500
Local – County Funds (Senior Center)	218-0000-38605	21800-0001-47800	\$4,000
Library County Funding Costs	218-6490-78150	21800-2002-57999	\$2,500
Senior Center County Funding Costs	218-7010-78150	21800-2002-57999	\$4,000

WHEREAS, the official meeting for the review of this special budget resolution was duly advertised on January 28, 2020, Resolution 2020-1170, and September 8, 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 2020-2021,

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 8th day of September, 2020.

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 Michael A. Padilla, Sr.

ATTEST: _____
 Karla Saylor, City Clerk

Staff Summary Report

MEETING DATE:	August 20, 2019
AGENDA ITEM:	V. CONSENT AGENDA (H)
AGENDA TITLE:	Resolution 2020-1198 Adopting the 2022-2026 Infrastructure Capital Improvement Plan (ICIP)

ACTION REQUESTED BY:	City Staff
ACTION REQUESTED:	Approval
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

A local infrastructure capital improvement plan is a plan that establishes planning priorities for anticipated capital projects. The need for this kind of planning has reached critical proportions in New Mexico, where local governments are faced with pressing demands for multiple capital improvements and limited funding to support them. The state-coordinated ICIP process encourages entities to plan for the development of capital improvements so that they do not find themselves in emergency situations, but can plan, fund, and develop infrastructure at a pace that sustains their activities.

The Department of Finance and Administration (DFA), through its authority in NMSA 1978, Sections 6-6-2J, 6-6-4, 9-6-5.1, 11-6-2, 11-6-3, 11-6-4.1, 11-6-5, and 11-6-5.1, strongly encourages each jurisdiction to prepare a Five-Year Infrastructure Capital Improvement Plan (ICIP).

Each entity may submit its plan to the state through the web-based reporting system. Pertinent parts of all the plans of participating entities are published each year. The published ICIP is made available for entity use and is distributed to the legislature, governor and funding agencies.

The state database for the ICIP must be adopted by resolution and may include both the City and Senior Center ICIPs. The City ICIP is primarily for infrastructure projects seeking legislative funding; the Senior Center ICIP is specific to the senior center and includes building improvements, equipment and vehicle requirements. Senior center projects, if approved, are funded through general obligation bonds as approved by voters and are not competing for the same funding sources as other projects the City may request funds. The due date for the City ICIP submission to the state is September 18, 2020 and the Senior Center ICIP is due October 2, 2020.

Both ICIPs have been reviewed by the city staff. No changes were made to the Senior Center ICIP from last year. The City ICIP includes three water projects as the top priorities for funding.

PROCUREMENT / PURCHASING (if applicable)

- None

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

- The ICIP is another tool that should be utilized in the planning and budget process. This document should then guide the city in the development of project priorities for funding opportunities, performance plan development, and annual budget development.

SUPPORT DOCUMENTS: Resolution 2020-1198
2022-2026 City ICIP Summary
2022-2026 Senior Center ICIP Summary

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2020-1198 adopting the City 2022-2026 Infrastructure Capital Improvement Plan (ICIP) and Senior Center 2022-2026 ICIP

Staff Summary Report

MEETING DATE:	August 20, 2019
AGENDA ITEM:	V. CONSENT AGENDA (H) UPDATED 2020.0908
AGENDA TITLE:	Resolution 2020-1198 Adopting the 2022-2026 Infrastructure Capital Improvement Plan (ICIP)

ACTION REQUESTED BY:	City Staff
ACTION REQUESTED:	Approval
SUMMARY BY:	Kathy Lamb

PROJECT DESCRIPTION / FACTS

A local infrastructure capital improvement plan is a plan that establishes planning priorities for anticipated capital projects. The need for this kind of planning has reached critical proportions in New Mexico, where local governments are faced with pressing demands for multiple capital improvements and limited funding to support them. The state-coordinated ICIP process encourages entities to plan for the development of capital improvements so that they do not find themselves in emergency situations, but can plan, fund, and develop infrastructure at a pace that sustains their activities.

The Department of Finance and Administration (DFA), through its authority in NMSA 1978, Sections 6-6-2J, 6-6-4, 9-6-5.1, 11-6-2, 11-6-3, 11-6-4.1, 11-6-5, and 11-6-5.1, strongly encourages each jurisdiction to prepare a Five-Year Infrastructure Capital Improvement Plan (ICIP).

Each entity may submit its plan to the state through the web-based reporting system. Pertinent parts of all the plans of participating entities are published each year. The published ICIP is made available for entity use and is distributed to the legislature, governor and funding agencies.

The state database for the ICIP must be adopted by resolution and may include both the City and Senior Center ICIPs. The City ICIP is primarily for infrastructure projects seeking legislative funding; the Senior Center ICIP is specific to the senior center and includes building improvements, equipment and vehicle requirements. Senior center projects, if approved, are funded through general obligation bonds as approved by voters and are not competing for the same funding sources as other projects the City may request funds. The due date for the City ICIP submission to the state is September 18, 2020 and the Senior Center ICIP is due October 2, 2020.

Both ICIPs have been reviewed by the city staff. No changes were made to the Senior Center ICIP from last year. The City ICIP includes three water projects as the top priorities for funding.

UPDATE: The City was appropriated funds (\$500,000) by the 2020 Legislature for an Outdoor Recreation Manufacturing and Retail facility. The funds will be utilized for a feasibility study and potential land acquisition. The project was not added to the ICIP for 2022 as the project is not fully defined but has now been added to year 2023.

PROCUREMENT / PURCHASING (if applicable)

- None

FISCAL INPUT / FINANCE DEPARTMENT (if applicable)

- The ICIP is another tool that should be utilized in the planning and budget process. This document should then guide the city in the development of project priorities for funding opportunities, performance plan development, and annual budget development.

SUPPORT DOCUMENTS: Resolution 2020-1198
2022-2026 City ICIP Summary Updated 2020.0908
2022-2026 Senior Center ICIP Summary

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve Resolution 2020-1198 adopting the City 2022-2026 Infrastructure Capital Improvement Plan (ICIP) and Senior Center 2022-2026 ICIP

Infrastructure Capital Improvement Plan FY 2022-2026

Aztec Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2022	2023	2024	2025	2026	Total	Amount	Phases?
											Project Cost	Not Yet Funded	
28268	2022	001	Water Reservoir 1 Improvements	Water - Water Supply	100,000	2,000,000	0	0	0	0	2,100,000	2,000,000	No
37657	2022	002	S Aztec Water Distribution	Water - Water Supply	0	770,000	0	0	0	0	770,000	770,000	Yes
36372	2022	003	S Aztec Water Transmission Line	Water - Water Supply	0	5,300,000	0	0	0	0	5,300,000	5,300,000	No
36375	2022	004	Main Avenue Improvements	Transportation - Highways/Roads/Bridges	0	4,000,000	0	0	0	0	4,000,000	4,000,000	No
23882	2022	005	Hartman Sports Complex	Facilities - Other	0	3,900,000	0	0	0	0	3,900,000	3,900,000	Yes
36386	2022	006	Riverside Park and Townsend Improvements	Facilities - Other	0	995,000	0	0	0	0	995,000	995,000	Yes
36377	2022	007	Vehicle Replacement	Vehicles - Public Safety Vehicle	0	535,000	0	0	0	0	535,000	535,000	Yes
36385	2022	008	Aztec Equipment	Equipment - Other	0	225,000	0	0	0	0	225,000	225,000	Yes
23476	2022	009	North Oliver Street Improvements	Transportation - Highways/Roads/Bridges	579,161	2,000,000	0	0	0	0	2,579,161	2,000,000	Yes
36387	2022	010	McWilliams Road	Transportation - Highways/Roads/Bridges	0	6,031,750	0	0	0	0	6,031,750	6,031,750	Yes
28267	2022	011	Flood Hazard Mitigation	Water - Storm/Surface Water Control	283,233	2,000,000	0	0	0	0	2,283,233	2,000,000	Yes
37723	2023	001	Outdoor Recreation Development Facility	Facilities - Other	500,000	0	5,500,000	0	0	0	6,000,000	5,500,000	Yes
11420	2026	001	Construction Aztec Wellness Center	Facilities - Other	0	0	0	0	0	14,000,000	14,000,000	14,000,000	Yes

Number of projects: 13

Infrastructure Capital Improvement Plan FY 2022-2026

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	1,462,394	27,756,750	5,500,000	0	0	14,000,000	48,719,144	47,256,752

Infrastructure Capital Improvement Plan FY 2022-2026

City of Aztec Senior Center Project Summary

ID	Year	Rank	Project Title	Category	Funded to date						Total	Amount	Phases?
						2022	2023	2024	2025	2026	Project Cost	Not Yet Funded	
33202	2021	001	Aztec Senior Center HVAC Replacement	Facilities - Senior Facilities	0	150,000	0	0	0	0	150,000	150,000	No
35275	2021	002	Senior Center Flooring Replacement	Facilities - Senior Facilities	0	40,000	0	0	0	0	40,000	40,000	No
35316	2021	003	Senior Center Kitchen Renovations	Facilities - Senior Facilities	0	125,000	0	0	0	0	125,000	125,000	No
35320	2021	004	Senior Center Kitchen Ramp Renovation	Facilities - Senior Facilities	0	35,000	0	0	0	0	35,000	35,000	No
36784	2021	005	Exterior Alcove Remodel	Facilities - Senior Facilities	0	55,000	0	0	0	0	55,000	55,000	No
33204	2021	006	Senior Center Kitchen Equipment	Equipment - Senior Center Equipment	0	15,000	0	0	0	0	15,000	15,000	No
36877	2021	007	Senior Center ADA Doors	Facilities - Senior Facilities	0	50,000	0	0	0	0	50,000	50,000	No
36876	2021	008	Senior Center Bathroom Renovation	Facilities - Senior Facilities	0	40,000	0	0	0	0	40,000	40,000	No
36878	2021	009	Senior Center Acoustic Walls & Stage Remodel	Facilities - Senior Facilities	0	100,000	0	0	0	0	100,000	100,000	No
35319	2021	010	Senior Center Transportation Vehicles	Vehicles - Senior Facility Vehicle	0	90,000	0	0	0	0	90,000	90,000	Yes
33206	2022	001	Senior Center Roofing	Facilities - Senior Facilities	0	0	165,000	0	0	0	165,000	165,000	No
33205	2022	002	Meal Delivery Vehicles	Vehicles - Senior Facility Vehicle	0	0	70,000	0	0	0	70,000	70,000	No
33207	2022	003	Senior Center Parking Lot	Facilities - Senior Facilities	0	0	70,000	0	0	0	70,000	70,000	No
31535	2024	001	Aztec Senior Center Handicap Conversion Van	Vehicles - Senior Facility Vehicle	0	0	0	0	60,000	0	60,000	60,000	No
31537	2024	002	Aztec Senior Center Stucco	Facilities - Senior Facilities	0	0	0	0	115,000	0	115,000	115,000	No

CITY OF AZTEC

Resolution No. 2020-1198

**A RESOLUTION ADOPTING AN INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN
(ICIP)**

WHEREAS, the City of Aztec recognizes that the financing of public capital projects has become a major concern in New Mexico and nationally; and

WHEREAS, in times of scarce resources, it is necessary to find new financing mechanisms and maximize the use of existing resources; and

WHEREAS, systematic capital improvements planning is an effective tool for communities to define their development needs, establish priorities and pursue concrete actions and strategies to achieve necessary project development; and

WHEREAS, this process contributes to local and regional efforts in project identification and selection in short and long range capital planning efforts.

NOW, THEREFORE, the Aztec City Commission resolves as follows:

1. The City has adopted the attached 2022-2026 City Infrastructure Capital Improvement Plan for submission to the State's web based reporting system, and
2. The City has adopted the attached 2022-2026 Aztec Senior Center Capital Improvement Plan for submission to the State's web based reporting system, and
3. It is intended these Plans be a working document and is the first of many steps toward improving rational, long-range capital planning and budgeting for New Mexico's capital improvements.
4. This Resolution supersedes Resolution No. 2019-1151.

PASSED, APPROVED and ADOPTED by the governing body at its meeting of September 8, 2020.

Mayor Victor C. Snover

ATTEST:

Karla Sayler CMC

Staff Summary Report

MEETING DATE: September 8, 2020
AGENDA ITEM: V. CONSENT AGENDA (I)
AGENDA TITLE: Memorandum of Understanding Animal Care Agreement between City of Bloomfield and City of Aztec

ACTION REQUESTED BY: Tina Roper
ACTION REQUESTED: Approval of Memorandum of Understanding Animal Care Agreement and City of Bloomfield
SUMMARY BY: Tina Roper

PROJECT DESCRIPTION / FACTS

This is an updated agreement allowing the Animal Care & Control Department to utilize our shelter software program to electronically gather the information for the City of Bloomfield for their quarterly invoices. This process eliminates the requirement for multiple copies of intake sheets and driver licenses, matching documents to monthly reports, and providing all to Finance Department for second review and billing – saving numerous City staff hours.

PROCUREMENT

N/A

FISCAL IMPACTS

This agreement provides for the rate per animal to be implemented in January of each year (rate is based on previous fiscal year actual costs). Previous agreements have not implemented a rate change until July requiring the City to carry any change in costs for a year.

SUPPORT DOCUMENTS: MOU – Aztec Animal Care & Control and City of Bloomfield

DEPARTMENT'S RECOMMENDED MOTION: Move to Approve the MOU between Aztec Animal Care & Control and the City of Bloomfield

**ANIMAL CARE AND CONTROL
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding is entered into on the 8th day of September 2020, by and between the **CITY OF AZTEC**, a New Mexico municipal corporation ("Aztec"), and the **CITY OF BLOOMFIELD**, a New Mexico municipal corporation ("Bloomfield") and is effective July 1, 2020.

The parties desire to enter into a Memorandum Of Understanding under the laws of the State of New Mexico, providing for the operation of an animal care and control facility and animal services, including but not limited to, spay and neuter, adoption, animal rescue, transportation and disposal services provided by Aztec for Bloomfield.

The parties also desire to work cooperatively on specific projects that are of mutual benefit to both entities in lieu of payment for services of the animal care and control facility by Bloomfield.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Aztec will be responsible for the operation of an animal care and control facility located at 825 Sabena, Aztec, New Mexico.
2. Aztec will provide this facility and these services for animals, including livestock, to Bloomfield and Bloomfield residents. The facility shall be operated pursuant to Aztec City Code, Chapter 5, Animals.
3. Bloomfield residents recovering or adopting animals from the Aztec facility will be assessed fees in accordance with Aztec City Code, Chapter 16, Fee Schedule.
4. Aztec shall provide the personnel required to properly staff the animal care and control facility. City of Aztec Personnel policy shall be the controlling policy at the animal shelter.
5. Costs to Bloomfield:

The cost per animal will be based on actual net costs incurred through June 30 of the fiscal year, and cost will be effective in January of the following calendar year. Aztec will use the following equation to determine the cost per animal:

Net costs of shelter operation for most recent fiscal year (total shelter costs including capital purchases less fees, fines, donations and other external funding) divided by total intake animals for same fiscal year = rate per animal.

Aztec and Bloomfield agree the cost per animal for the period July 1, 2020 through December 31, 2020 will be \$135.16 per animal. The rate per animal for the calendar

year 2021 and annually thereafter will be provided to Bloomfield by October 1st.

The rate per animal may be adjusted during the calendar year to include personnel changes, pay plan adjustments, or extraordinary costs authorized by the Aztec City Commission. Aztec will notify Bloomfield of adjustments to the rate per animal based on Aztec City Commission action providing a minimum notice of 60 days. Effective date of such increase would be the 1st day of the quarter following the Aztec City Commission action and 60 day notice.

6. Documented Animals

Aztec will utilize the Chameleon software program for animal intake. The program will gather all information necessary for tracking and billing purposes. Animals which have been documented as Bloomfield animals will be billed at the established rate per animal.

A. Stray Animals

Aztec and Bloomfield recognize the benefit of the general public to pickup animals which may be stray, injured, in danger or possibly dangerous to the public and deliver to the Aztec Animal Shelter. It is also recognized these animals while being picked up in the municipal limits of Bloomfield may not be picked up by residents of or individuals employed in Bloomfield. If the person bringing the stray animal in is not a resident, and Aztec Shelter staff concludes that they are given a reasonable description of the location then that animal will be documented as a Bloomfield animal.

B. Animal Offspring

Bloomfield will be billed for animal offspring if either of the following situations apply:

Pregnant animal is delivered to Aztec and gives birth within 15 days; or
Pregnant animal is on a court hold and gives birth any time prior to the court hold being released.

C. Animals on Court Holds:

1. Aztec Animal Care and Control must receive a court order if animal to be held beyond 10 day rabies observation period;

2. Holds beyond 10 days of Bloomfield animals, regardless of case disposition will be billed to Bloomfield (not animal owner) at the rate of \$25.00 per day until final decision reached;
3. In the absence of a court order, animal will be held for owner 5 days beyond 10 day rabies observation period. Animals remaining in the care of the Aztec facility beyond that period of time may be adopted, placed in a rescue program, or euthanized in compliance with established policies.

D. Other Services

1. As requested by Bloomfield, additional animal care and control services may be provided by Aztec. Services may include responses to hoarding, animal cruelty, animal at large, and may result in additional costs associated with those efforts.
2. For specific services or projects, beyond those identified in this agreement, completed by Bloomfield for Aztec Animal Care and Control facility, a monetary value will be provided which shall be agreed upon by both entities. Bloomfield shall be credited on the quarterly billing for those services completed.

7. Billing Procedures:

A. Aztec shall bill Bloomfield quarterly for the cost per intake animal based on costs for animal care and control, as defined in Paragraph 5 above. Aztec will provide quarterly invoices by the 25th of the month following the end of the quarter.

The invoice, generated through the Chameleon software, will contain the following information:

Name, address and phone number of the person bringing in the animal.
Driver's License information, if available.
Animal ID
Intake type – Stray, Owner Surrender, Rabies Observation or Court Hold
Location the animal was picked up
Feral – yes or no (primarily for cats)
Total number of animals
Total due.

Invoices with documentation will be provided to Bloomfield electronically. If Bloomfield requires Aztec to provide paper documentation, an additional fee of \$1.00/page will be assessed.

Bloomfield email address for invoice purposes: cmarinez@bloomfieldnm.gov

B. There will be a strict accountability for all receipts and disbursements under this Memorandum. Pursuant to Paragraph 6, Aztec shall only accept animals under this Memorandum from Bloomfield City limits. For animals brought in to Aztec by individuals, Aztec shall reasonably verify the residence, or employment location, of the individual and the origin of the animal prior to accepting the animal. This will be accomplished by:

1. Checking the individual's driver's license or other government issued identification in an effort to confirm that the individual is a resident of Bloomfield. For those individuals employed within the Bloomfield City limits, employee identification may be used.
2. Bloomfield, recognizing that citizens do not typically carry documentation of their physical address (utility bills, housing agreements, etc.) in the normal course of daily activity and that citizens may not obtain new government issued identification when residential addresses change, will accept that a physical location of where the animal was picked up will serve as acceptable documentation and will be listed on the invoice that is generated by our Chameleon software.

C. Bloomfield will be responsible for establishing policy and procedures for City of Bloomfield personnel delivering animals to the Aztec Animal Care and Control facility. Aztec will accept animals from Bloomfield personnel but will not be responsible to ensure Bloomfield personnel are following Bloomfield policy and procedures in the documentation of the animal delivery.

8. Payment and Disputes:

A. Payment shall be remitted to Aztec not later than the 20th day of the month following the quarterly billing for services. Aztec may assess a 5% late payment penalty for undisputed amounts beginning the 25th of the month.

B. Bloomfield will advise Aztec, within 15 days of quarterly invoice bill date and in writing, of disputed amounts billed for the quarter. Bloomfield will identify by animal the specific reason(s) for which the billing is in dispute. Disputed amounts may be deducted from the quarterly payment to Aztec to ensure timely payment as per Paragraph 8.A. Upon dispute resolution(s), Aztec will either issue a credit for erroneous billing or Bloomfield will process payment within 10 days of the resolution.

9. This memorandum may be amended as services provided evolve and/or programs are implemented at the Aztec facility.

10. The term of this Memorandum shall be indefinite, but is subject to review by the parties annually to discuss issues of cost, and/or operational changes. This Memorandum may be terminated upon thirty (30) day written notice by either of the parties to the other, except that notice of termination shall not affect the validity or the performance of any contractors or subcontractors which were executed to effectuate the purpose of this Memorandum Of Understanding.

This Memorandum of Understanding shall come into full force and effect on the date identified above and shall supersede all previous Animal Shelter agreements and understandings.

CITY OF AZTEC

CITY OF BLOOMFIELD

Victor C. Snover, Mayor

Cynthia Atencio, Mayor

ATTEST:

Karla Saylor, City Clerk City of Aztec

Crystal Martinez Hornberger, City Clerk
City of Bloomfield

APPROVED AS TO FORM:

Tyson K Gobble, City of Aztec Attorney

T. Ryan Lane, City of Bloomfield
Attorney

Staff Summary Report

MEETING DATE:	September 8, 2020
AGENDA ITEM:	A. BUSINESS ITEM (A)
AGENDA TITLE:	Intent to Adopt Ordinance 2020-509 Amending Chapter 16, Fees Article XI. Municipal Airport

ACTION REQUESTED BY:	Airport Advisory Board
ACTION REQUESTED:	Approve Intent to Adopt Ordinance 2020-509 Amending Chapter 16, Fees Article XI. Municipal Airport
SUMMARY BY:	City Staff

PROJECT DESCRIPTION / FACTS

The City Commission establishes fees for various operations by the City. In the past, the City has charged fees for the Municipal Airport Hangars through individual lease contracts. Many of these contracts vary in cost per square footage depending upon when the contract was created. For consistency and fairness purposes, hangar and ground leases need to be consistent and based on per square footage. Ordinance 2018-488 establishes a cost per square footage for hangars and ground leases.

The Airport Advisory Board, researched NM municipal airports, with a discovery of Ground Lease Rate for personally owned hangars on city grounds, lease rates ranged from .08 to .105 cents per square foot per year. (See Attachment 1) Our closest airport in NM is Four Corners Airport (Farmington) where they offer **Corporate Hangar Ground Rent - Buildable Area at \$0.26 cents square foot per year**. According to Farmington rate schedule the fee has not changed since 2012. Mike Arnold has utilized this rate for Aztec Municipal Airport. Aztec should consider a competitive rate, to encourage more growth development in our aviation community.

PROCUREMENT

N/A

FISCAL IMPACTS

The Airport is established as a Special Revenue Fund due to the federal and state funds which are received for maintenance and capital improvements. The intent of the fees assessed for the use of airport facilities is to cover the routine maintenance of the airport and possibly provide a portion of match funds (10%) which are required on the maintenance grant through New Mexico Aviation. Match funds (typically 5%) for capital improvement projects is required to be provided through the City's General Fund as the airport does not generate sufficient revenues to meet the requirement.

Aviation fuel sales are intended to cover the costs associated with the fuel system including annual permitting and liability insurance specific to fuel. Sales which exceed the costs contribute to the Airport cash reserve for future fuel purchases and other airport requirements. For the year ending June 30, 2020, fuel sales exceed costs associated with the fueling system by \$7,909. Fuel (8,000 gallons) was purchased in August, \$23,734; historically fuel is purchased every 9-10 months and staff anticipates fuel will be purchased towards the end of the current fiscal year (May or June).

<u>Revenues</u>		<u>Expenditures</u>		<u>Balance increase</u> <u>(decrease) Cash</u> <u>Reserve</u>
Fuel Sales	\$40,505	Fuel System Costs	\$32,596	\$7,909
		Courtesy Cars	\$1,415	(\$1,415)
Rent/Lease: Hangers, Tie Downs, Ground, Site, Parking	\$22,683	Airport Maintenance Costs (includes insurance)	\$15,150	\$7,533
Airport Maintenance Grant	\$3,842	Airport Maintenance Grant Costs	\$4,268	(\$426)
Airport Improvement Grants – Current Year	\$35,317	Airport Improvement Grant Costs	\$37,171	(\$1,854)
Cash Reserve Increase as of June 30, 2020				\$11,747
August 2021 Fuel Purchase				\$23,734
Cash Balance (does not include August fuel sales)				(\$11,987)

Specific to ground leases, last year revenues were \$4,525 based on .08/sq ft per month or .96/sq.ft. per year.

A reduction to .26/sq.ft. per year would be approximately \$1,222 annually, a reduction of \$3,303 (staff recommendation).

A reduction to .10/sq.ft. per year would be approximately \$471 annually, a reduction of \$4,054.

SUPPORT DOCUMENTS: Ordinance 2020-509

MOTION: Move to approve Intent to Adopt Ordinance 2020-509 Amending Chapter 16, Fees Article XI. Municipal Airport

CITY OF AZTEC

ORDINANCE 2020-509
An Ordinance Amending Chapter 16, Fees
Creating Article XI. Municipal Airport Fees

WHEREAS, The City Commission establishes fees for various operations by the City; and

WHEREAS, The City has in the past charged fees for the Municipal Airport Hangars through individual lease contracts; and

WHEREAS, for consistency and fairness purposes monthly rentals need to be consistent and per square footage;

NOW, THEREFORE, BE IT RESOLVED that the Aztec City Commission have created Article XI. Municipal Hangar Fees within Chapter 16 of the Aztec City Code to be consistent with all other established fees.

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

Mayor Victor C. Snover

ATTEST:

Karla Saylor, City Clerk CMC

APPROVE AS TO FORM:

City Attorney

Advertised Date of Final Adoption: _____

Effective Date of Ordinance: _____

ARTICLE XI. MUNICIPAL AIRPORT FEES

Sec. 16-401. Monthly Fees.

<i>Monthly Rentals</i>	<i>2019 Fees</i> <i>Per square foot</i>	<i>2020 Fees</i> <i>Per square foot</i>
Large Hangar (greater than 1400 sq ft)	\$ 0.1000	\$ 0.1000
Small Hangar	\$ 0.0688	\$ 0.0800
Ground Lease	\$ 0.0600	\$0.0800 \$ 0.0216

8-2-20

To:

City of Aztec

Mayor Snover, Airport Mgr Wallace Begay and Sherlynn Morgan Mike Padilla

The Airport Advisory Committees goal is to increase the activity of the airport and to have a healthy outlook on the declining aviation industry.

After discussions with surrounding airport the following rates are listed below

Las Cruces (Andy Hume)	Airport Mgr.	.10 cents sq. ft. per year
Belen (John Thompson)	Airport Mgr.	.08 cents sq. ft. per year
Grants (Ray Jenkins)	Airport Mgr.	.10 cents Sq. ft. per year
Farmington (Mike Lewi)	Airport Mgr.	.27 cents Sq. ft. per year
Moriarty (Bob Hudson)	Airport Mgr.	10.5 cents Sq. ft. per year

Bob Hudson is the President of the NM Airport Association and has a thriving airport with 76 privately owned hangars on their field without a clause that the hangers return to the city. (Bob feels this would be a hindrance to the growth of the airport.)

Farmington (Mike Lewi)	Airport Mgr.	.27 cents Sq. ft. per year
Aztec (Wallace Begay)	Airport Mgr.	.96 cent Sq. ft. per year (why)

All surrounding airports that are comparable to Aztec have comparable ground leases. Rates range for .08 to .10 cents per square foot per year with the Exception of Farmington which has all the commercial amenities such as a Control Tower, ILS instrument approaches, tarmac maintenance, runway maintenance, fire and security on the airport. They are asking .26 cents per square foot per year.

This looks like we have been overcharged for years and needs to be addressed.

The owner(s) of a hangar at the Aztec Airport have the expense of the hangar along with the county taxes and the ground lease from the City. This isn't a very inviting for someone wanting to invest in our aviation community or City.

All vibrant airports in our state, like the Moriarty Airport have three things in common.

1. Low ground leases which promotes growth of the airport thru activity at the airport
2. Hangar rentals from the city
3. Low fuel prices

All these consideration have promoted growth of the noncommercial aviation community along with the city which they reside.

It has been said the any airport requiring the hangars revert the city just detours and growth in the aviation community as has been abandoned as a general practice.

Thanks to the previous leaders, we have reasonable prices on fuel. Our fuel island brings pilots in from the Four Corners area along with the transits that look at fuel prices on FourFlight or others.

The two courtesy cars have brought pilots back on a regular bases to visit our community and stay in our hotels and visit the surrounding areas

Our goal should be to make it easy for anyone wanting to be based at the Aztec Airport with comparable rates

We also would like the waiting list for hangars be posted in the pilots lounge every month

These are the findings put forth to the City of Aztec

Sincerely

Dale Rhodes

Airport Advisory Chairman

